Leaders and Masses in the Roman World

Studies in Honor of Zvi Yavetz

Edited by
I. Malkin
Z.W. Rubinsohn

BRILL

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IN THE ROMAN WORLD

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Zvi Yavetz

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PREFACE

At the heart of Zvi Yavetz's concept of Roman history lies his interest in the interaction between ruler and ruled. This is the guiding theme in his *Plebs and Princeps*, in *Caesar and his Public Image* and in his work on Augustus. It recurs in his writing about Roman imperialism, where he emphasizes the question of who would have profited from foreign conquest: the motive of cui bono. This is Zvi Yavetz's great personal contribution to the ongoing debate on the nature of the Roman principate. After Yavetz, anyone studying the government of the Roman empire can no longer ignore the relationship and interaction between the ruler and the constituent parts of the populace.

The present volume, which contains papers by scholars from seven countries, writing in four languages, clearly demonstrates the breadth of his achievement. All the contributions discuss topics directly related to Yavetz's own work, ranging from Greek history to the history of the Later Roman Empire. Some both vindicate and supplement the basic theme of Plebs and Princeps: the idea that the relationship between the leaders and the urban population in Rome was an essential element in the political process. We see that this was true for the middle and late republic no less than for the early empire. Imperialism, foreign conquest and internal politics all had an economic impact on the different elements of the population and on their political relationships. Several papers demonstrate yet again the point made more than twenty years ago by Yavetz himself: that popular emotions in the capital were an essential ingredient in the political process. We now see that this is as true for the late third century BC as for the first century AD. We are reminded again and again, in the present volume, as in all Yavetz's work, that the study of ancient history should always be based on a thorough understanding of our primary source material, the major ancient authors.

One might suspect that Yavetz's views of the successful leader,

Augustus, were not a little inspired by his own experience as administrator. However, the publication of a Festschrift is a celebration of scholarly achievement – it is not the proper place, nor am I the right person, to describe his central role in building the University of Tel Aviv and its history department.

In his published work, Zvi Yavetz never ignores the work of his predecessors nor the influence of contemporary thinking in other fields. He is aware of the fact that applying modern concepts to the study of ancient history, far from demeaning its academic value, ensures its continuing appeal. Yavetz's approach to ancient history is that of an intellectual, rather than a technician, an approach which safeguards the profession from domination by specialists who would prefer to study the ancient sources exclusively, unaware of the subliminal influence of contemporary trends on their writing.

Yavetz is at home in the English, French, German and Hebrew languages and traditions. As his *Caesar* shows, this enables him to perceive patterns of thought that transcend national cultures. Moreover, he has never confined his interest to current intellectual trends, but recognizes our debt to the great historians of the nineteenth century. Similarly, he has not espoused any one "school" or historical method. His scholarly work, no less than his attitude towards colleagues and students, shows an awareness that human weaknesses must be borne with humour rather than contempt.

Zvi Yavetz has now moved on to a new stage in his career. We wish him many more years of writing works which are as impossible to predict as to ignore.

BENJAMIN ISAAC

IRAD MALKIN

ZVI YAVETZ: A BIOGRAPHICAL OUTLINE

Zvi Yavetz was born in 1925 in a city variously called Czernowitz (German), Cernati (Romanian), and Cernivtsi (Ukrainian). For those personally acquainted with this example of a rare and almost extinct breed of polyglot historians, at ease in numerous modern and ancient languages and capable of quoting literary and historical texts for hours on end, Czernowitz provides the first key. The city was, quite literally, multi-cultural, and remained so after the First World War when it became Romanian. There were Ruthenians, Romanians, Poles, Jews, Germans, and Ukrainians; all languages were spoken. Both Hebrew and German were spoken at home. The family was well-off, and Yavetz went to a private school. From the age of seven he had Romanian as the language of instruction, in addition to German, French, and Latin. In 1940, following the Ribbentrop-Molotov agreement, Czernowitz became part of the Soviet Union. Yavetz now went to a Soviet school where the main language of instruction was Yiddish, apart from Russian and Ukrainian.

In 1941, when German troops occupied Bukovina, like most Jews Yavetz went through ghettos and camps. He lost both his parents. Managing to escape, Yavetz returned to the home of his parents where he unearthed from a corner of the garden some hidden gold, dollars, Maria-Theresien Talers, silver cutlery, and two mink coats of his mother. He joined a group of eighteen men and women who found the right people to bribe: a Romanian officer and a Romanian ethnic German who owned a yacht, old and unsuitable. The group preferred to sail through the delta of the Danube, since there was a German naval base at Constanza. Having nothing but a school atlas at their disposal, the group failed to find the Bosporus and the boat wrecked near Carabournu, on the Turkish shore. When the Turkish authorities would not let them stay and when it became evident

that they were to be sent back to Romania, they went on a hunger strike demanding a visa to Palestine. The British authorities refused, but the English Lord Wedgewood intervened and the youths were sent to British-controlled Cyprus and eventually reached Palestine in 1944. Seven years later, when Harry (Zvi) Zucker finally learnt that none of his mother's family had survived the Holocaust (two of his father's brothers had survived), he adopted his mother's last name, Yavetz.

Yavetz began his life in Israel as a member of a kibbutz in the Jordan valley but soon left to study modern history at the Hebrew University in Jerusalem (the only university then in existence), making a living as a school-teacher of deaf and dumb children. He wrote an MA thesis in modern history under Richard Koebner and studied philosophy with Hugo Bergman and J. Ch. Roth, sociology of culture with Martin Buber, and classics with Chaim Wirszubski and M. Schwabe. Following a review he wrote for Koebner of modern attitudes to Roman imperialism, Yavetz was invited to the prestigious seminar of Victor Tcherikover which the eminent scholar used to teach at his home in Bet Hakerem, Jerusalem. Yavetz was captivated and henceforward dedicated himself to ancient history.

With his left-of-center background Yavetz chose to write his thesis on the *tabulae novae* and the Plebs. He challenged the view expressed, for example, by M. Cary in the *Cambridge Ancient History* that only rotten aristocrats could be indebted. Contrary to the opinion expressed in the *CAH*, that poor people had no assets, no credits, and therefore no debts, Yavetz asked himself how could they afford to pay their rents? Tcherikover was delighted with the question, although Wirszubski was pressing Yavetz to turn a seminar paper he wrote on *dignitas* into a PhD thesis (on the model of Wirszubski's own *Libertas*), and was not quite in favour. In 1954 Yavetz was sent to Oxford where he was encouraged by G. de Ste Croix and especially by C.E. Stevens who helped him publish his first article in *Latomus*, 'Living conditions of the urban Plebs' (1958).

Having completed his PhD, Yavetz returned to the Hebrew University where, at the age of 29, he was entrusted with the department for training school teachers of secondary education. These were days of mass immigration, especially of Jews from

North Africa, and the burden confronting the new education-system was heavy. Salaries were low, however, and when the Mayor of Tel Aviv offered Yavetz an additional half a position in the institution that would become the University of Tel Aviv, Yavetz accepted. After Victor Tcherikover's death Yavetz did not get a full appointment in Jerusalem; he was offered the Chair of the new history department in Tel Aviv, and immediately became a major figure among the founders of the university where he is widely regarded as one of its five virtual *archêgetai.* In 1961 he finally resigned from the Hebrew University.

It was in 1960, with the study of the Plebs completed, that Yavetz's first ideas on the relationship between masses and leaders began to crystallize. At the time, however, he could not develop these into a full study. Always a man of enormous energy, combining educational and institutional vision with academic acumen, Yavetz was asked in 1962 to take a leave of two years from Tel Aviv and go to Ethiopia to establish the School of Humanities at the University of Adis Abbeba. There he became fully convinced that his ideas on Plebs and princeps were correct. Not only was Yavetz the only Roman historian to have had lunch with an emperor, he also had ample opportunity to observe the relationships between emperor, 'senators', and people. The Ethiopians he met loved the emperor, but detested the senators.

In Addis Abbeba, without a library at his disposal and relying on his memory, Yavetz wrote the first draft of *Plebs and Princeps.* In 1965–66 he discussed his work with Ronald Syme in Oxford and the revised book (having first appeared in Hebrew), was finished while on leave at Cornell University, and published by Oxford University Press in 1969.

Yavetz's discussions with Syme started him on another aspect of the relationship between leaders and masses. Syme, for example, saw no essential difference between Pompey and Caesar (had Pompey won, said Syme, he would have been killed at the foot of his own statue by honourable men). Yavetz, however, claimed that the difference was their respective public image, *existimatio.* Syme was impressed and recommended Yavetz for the Loeb lectures in Harvard, which eventually resulted in *Julius Caesar and his public image* (first published in German, 1979).

In his *Augustus* (Hebrew: 1988, English, University of California

Press, in press) Yavetz goes on to contextualize the concept of *charisma*. In contrast with some schools of thought in the Social Sciences, Yavetz does not believe in abstract definitions of charisma. Mao Tse-Tung, the Lubavitcher Rebbe, Napoleon, and Leon Trotsky, were all charismatic leaders—but only for a very distinct group of people. The charisma would vanish were they to change places. In *Augustus* Yavetz emphasizes the role of personality in history. Augustus founded a system in which every princeps could fill the principate with his own content. Yavetz sees no value in a general study of "Rome under the early emperors"; his current work, therefore, includes separate books on Tiberius and Caligula (in press) as well as a planned book on Claudius and Nero. It was the personality of the individual emperor which made the difference between the days of Tiberius and Nero.

A leader himself and a student of leaders and masses, Yavetz's became interested in the Plebs in the fifties, when very few were preoccupied with the study of the lower classes. By now, of course, all this has changed. But Yavetz does not believe in "Plebs- or Slaves-Studies", which might distort the view of a period. Students, he believes, must not be brought up in a narrow field. Yavetz went on to integrate the subject in a more general context, concentrating later on the relationship between leaders and masses.

Masses may have been fickle, but the upper classes were not that consistent in their views either and could be just as opportunistic as the "mob". Yavetz has always been interested in the difference: whereas the upper classes found excuses and justifications for their behaviour, the poor people—from our perspective—remain mute. It is for this reason that they can be branded as fickle. The Roman masses knew exactly who loved them and who did not. They may have been wrong, sometimes, but their heroes were not people who gave them just bread and circuses. They needed more. Tiberius, for example, gave them everything but went to Capri and did not live in their midst; he got no love in return. They preferred people like Marius, and remained faithful to people like Saturninus. Thirty seven years after his death, when Cicero wanted to brand him as a *hostis populi Romani* he was shouted down.

Yavetz does not claim that the Plebs played an important role in the decision-making process. On the other hand, for the

sake of their political survival, senators and especially emperors could not underestimate the masses and therefore tried to flatter them. From the nature of that flattery, explicit in our sources, one may glimpse the aspirations of the Plebs. The good relations between emperors and Plebs made it possible for the emperor to threaten to let the Plebs loose on the Senators. This was probably one of the major reasons why the Roman Aristocracy accepted monarchy, reluctantly, but without any other alternative. They gave up the *libertas* they enjoyed in the days of the Republic and contented themselves with *species libertatis*. The ideal mixture between principate and *libertas* was never achieved.

Throughout his academic career Zvi Yavetz has been active in administration and planning. He was Chair of the History department for three decades, as well as Dean of the Faculty of the Humanities at Tel Aviv. An international figure, he is a familiar guest at academic institutions in England, Germany, Italy, and the USA, where he is also a Distinguished Professor at the Graduate Center of the City University of New York. He is also a permanent member of the French Académie des Cultures. He has also received the prestigious Israel prize in History, his country's highest honour. Yavetz has persistently refused to be a candidate for other high administrative positions, most recently the presidency of the university. Now, with the greater freedom that comes with retirement, his planned work includes, in addition to the book on Claudius and Nero, a study of ancient anti-semitism, combining Jewish, Hellenistic and Roman history. A book entitled "Now and Then" will include essays and articles on ancient and modern history. Yavetz is also committed to writing a study on Bukovina and Czernowitz between the two World Wars.

Retiring scholars are expected to threaten they shall be around for a long time to come. Although a *topos*, this has often materialized. Yavetz's sparklingly humorous and culturally resonant lectures, delivered in accomplished rhetorical style, are still with us at Tel Aviv, as are his graduate seminars which are taught voluntarily. With such a rich life of action, vision, and research, Yavetz's 'ratio of plans to fulfilment' is one of the best around. The productive output of his work and his plans for future books promise, therefore, to enrich us for some time.

ZVI YAVETZ: BIBLIOGRAPHY

1958

Plebs Urbana in Republican Rome (Hebrew), Tel-Aviv, 1958.

"The living conditions of the Urban Plebs in Republican Rome", *Latomus* 17 (1958), pp. 500–517.

1962

"Plebiscitum Claudianum" (Hebrew), *Eshkolot* 4 (1962), pp. 113–131.

"The policy of Gaius Flaminius", *Athenaeum* 40 (1962), pp. 325–344.

1963

"The failure of Catiline's Conspiracy", *Historia* 12 (1963), pp. 485–499.

1965

"Plebs Sordida", *Athenaeum* 43 (1965), pp. 295–311.

"Levitas Popularis", *Atene e Roma* 10 (1965), pp. 97–110.

1966

Urban crowds in Roman politics (Hebrew), Tel-Aviv, 1966.

1967

"The Emperor Vitellius" (Hebrew), *Doron* 1967, pp. 137–153.

1969

Plebs and Princeps, Oxford, 1969.

"Vitellius and the Fickleness of the Mob", *Historia* 18 (1969), pp. 557–569.

"The living conditions of the Urban Plebs in Republican Rome", *The crisis of the Roman Republic*, R. Seager (ed.), Cambridge, 1969, pp. 162–179, reprint.

1970

"Fluctuations monétaires et condition de la plèbe à la fin de la république", *Recherches sur les structures sociales dans l'antiquité classique*, Paris, 1970, pp. 133–157.

1971

Caesar and Caesarism: essays in Roman history, Tel-Aviv, 1971.

"Caesar, Caesarism and Historians", *Journal of Contemporary History* 6(2) (1971), pp. 184–201.

1973

The place of the physician in Ancient Rome (Hebrew), Tel-Aviv, 1973.

1974

"Existimatio, fama and the Ides of March", *Harvard Studies in Classical Philology* 78 (1974), pp. 35–65.

1975

"Forte an Dolo Principis", *Studies in honor of C.E. Stevens*, Oxford, 1975, pp. 181–197.

"Reflections on Titus and Josephus", *Greek, Roman and Byzantine Studies* 16 (1975), pp. 411–432.

1976

"Why Rome? *Zeitgeist* and ancient historians in early 19th-century Germany", *American Journal of Philosophy* 97 (1976), pp. 276–296.

"Die Lebensbedingungen der Plebs Urbana im Republikanichen Rom", *Zur Sozial und Wirtschaftsgeschichte der späten Römischen Republik* H. Schneider (ed.), Darmstadt, 1976, pp. 98–123, reprint.

1979

Caesar in der öffentlichen Meinung, Dusseldorf, 1979.

"Jews and the great powers of the Ancient World", *The Jewish world: revelation, prophecy and history*, E. Kedourie (ed.), New York, pp. 89–107.

1981

"Autonomous arrangements in Balkan States", *Models of Autonomy.* Y. Dinstein (ed.), New Brunswick, 1981, pp. 85–94.

"Josephus", *Ancient writers—Greece and Rome* vol. 2 T.J. Luce (ed.), New York, pp. 877–886.

1983

Julius Caesar and his public image, Ithaca, 1983.

Slaves and slave revolts in Ancient Rome (Hebrew), Tel-Aviv, 1983.

La plèbe et le prince, Paris, 1983.

"Società e politica nell'età di Cesare", *Storia della Società Italiana*, Milano, 1983, pp. 137–160.

"Sir Ronald Syme's contribution to history" (Hebrew), *Zemanim* (1983), pp. 20–29.

1984

"The Res Gestae and Augustus's public image", *Caesar Augustus: seven aspects* F. Millar and E. Segal (eds.), Oxford, 1984.

1987

Cicero and the Roman Republic (Hebrew), Jerusalem, 1987.

"The Urban Plebs in the days of the Flavians, Nerva and Trajan", *Opposition et resistances à l'Empire d'Auguste à Trajan*, Fondation Hardt vol. 3 A. Giovannini (ed.), 1987, pp. 135–186.

Fifty years after the downfall of the Cuza—Goga government (Hebrew), Goldstein Institute for the study of Rumanian Jewery, 1987.

"Staatsklugheit und Charakterbild des Kaisers Augustus", *Geist und Gestalt politischer Herrschaft in Deutschland und Europa*, Bonn, 1987, pp. 495–505.

1988

Augustus (Hebrew), Tel-Aviv, 1988.

Slaves and Slavery in Ancient Rome, New Brunswick, 1988.

Plebs and Princeps, New Brunswick, 1988, reprint.

Fifty years after the death of Cordenau (Hebrew), Goldstein Institute for the study of Rumanian Jewery, 1988.

1990

César et son image, Paris, 1990.

"The personality of Augustus, reflections on Syme's Roman Revolution", *Between Republic and Empire: interpretations of Augustus and his Principate* K.A. Raaflaub and M. Toher (eds.), University of California Press, 1990, pp. 21–41.

"Roman Imperialism" (Hebrew), *Studies in honor of S. Perlman*, Tel-Aviv, 1990, pp. 180–193.

"Towards further steps into the study of Roman Imperialism", *Gouvernants et Gouvernés dans L'imperium Romanum* E. Harmon (ed.), 1990, pp. 3–22.

1992

Caesar, the limits of Charisma (Hebrew), Tel-Aviv, 1992.

"The Iron Guard: setting the record straight", *East European Jewish Affairs* 22 (1) (1992), pp. 101–107.

1993

"Judeophobia in Classical Antiquity: a different approach", *Journal of Jewish Studies* 14 (1993), pp. 1–22.

WERNER ECK

PLEBS UND PRINCEPS NACH DEM TOD DES GERMANICUS

Germanicus Iulius Caesar, Adoptivsohn des Tiberius, starb am 10. Oktober des Jahres 19 n.Chr. im syrischen Antiochia.[1] Fast zwei Monate dauerte es, bis eine sichere Nachricht darüber in Rom eintraf; denn erst am 8. Dezember beschloß der Senat, wie schon beim Tod der Söhne des Augustus, Gaius und Lucius Caesar, ein *iustitium*.[2] Doch schon vor der offiziellen Verkündung des *iustitium* hatte das römische Volk die Initiative ergriffen und das gesamte öffentliche Leben zum Stillstand gebracht.[3] Der Senat vollzog am 8. Dezember formell, was die *plebs* schon ins Werk gesetzt hatte. Wenn wir Tacitus glauben dürfen, handelte das Volk in seiner Trauer um Germanicus ohne die staatlichen Organe und ohne Tiberius, ja, wie sich später zeigte, sogar teilweise gegen sie.[4] Denn nachdem Agrippina mit der Asche des Germanicus zurückgekehrt und die Beisetzung des Verstorbenen im Mausoleum des Augustus vollzogen war, erließ Tiberius ein Edikt[5], indem er daran erinnerte, *multos illustrium Romanorum ob rem publicam obisse, neminem tam flagranti desiderio celebratum.* Man müsse jetzt zurückfinden zu einer festeren Haltung, wie etwa der vergöttlichte Iulius nach dem Verlust seiner einzigen Tochter oder der vergöttlichte Augustus, nachdem ihm seine beiden Enkel entrissen worden seien. *Principes mortales, rem publicam aeternam esse.* Nicht nur in diesem Fall hat

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[1] Fasti Antiates Ministrorum, Inscr. It. XIII 2, 209.

[2] Fasti Ostienses z.J. 19, Inscr. It. XIII 1, p. 184 f. = L. Vidman, Fasti Ostienses, Prag [2]1982, 41. 61 f. Zum *iustitium* zuletzt A. Fraschetti, La *tabula Hebana*, la *tabula Siarensis* e il *iustitium* per la morte di Germanico, MEFRA 100, 1988, 867 ff.

[3] Tac., ann. 2,82,3.

[4] Siehe zur Gesamtsituation und ihrer Deutung vor allem H.S. Versnel, Destruction, *Devotio* and Despair in a Situation of Anomy: The Mourning for Germanicus in Triple Perspective, in: Perennitas. Studi in onore di Angelo Brelich, Rom 1980, 541 ff.

[5] Tac. ann. 3,6.

Tiberius versucht, das Volk mit historischen Exempla zu belehren und in eine ihm sinnvoll erscheinende Richtung zu lenken.[6]

Doch obwohl die Trauerzeit vor den Megalesischen Spielen, d.h. etwa Anfang April, ein Ende gefunden hatte[7], war die Spannung, die sich wegen des Todes des Germanicus in Rom aufgebaut hatte, nicht gewichen; vielmehr wartete man mit wachsendem Mißtrauen auf die Rückkehr dessen, dem der Tod des Germanicus zur Last gelegt wurde, des Cn. Calpurnius Piso.[8] Da exakte Nachrichten fehlten, bauten sich die Gerüchte, die mit dem angeblichen Giftmord zusammenhingen, immer wieder auf. Es dauerte lange, bis Piso aus dem Osten zurückkam.

Wann Piso Rom wieder betrat, ist der bisher vorliegenden Überlieferung nicht zu entnehmen. Ein neu gefundenes *senatus consultum*, das am 10. Dezember des Jahres 20 den Prozeß gegen Piso abschloß[9], zeigt jedoch, daß die rechtlich-politische Bewältigung des Todes des Germanicus nicht vor Ende November dieses Jahres, also mehr als dreizehn Monate nach dem Hinscheiden des Sohnes des Princeps, begann. Bereits am Tag nach der Ankunft Pisos in Rom forderte der Senator Fulcinius Trio bei den Konsuln einen Prozeß gegen ihn.[10] Auch wenn man einige Wochen für die Vorbereitung des Gerichtsverfahrens einrechnet, kann man kaum vermuten, daß einerseits die Ankläger, die engen Freunde des Germanicus, aber ebenso auch Tiberius, nachdem Piso einmal in Rom angekommen war, viel Zeit verstreichen ließen, bis mit den Verhandlungen vor dem Senat begonnen wurde. Somit kann Piso schwerlich vor Oktober, vielleicht sogar nicht vor Anfang November nach Rom zurückgekehrt sein, nachdem er sich noch vorher zu Drusus, dem Sohn des Tiberius, der ein Kommando in Illyricum führte, begeben hatte.[11] D.h. aber, Piso hatte sich

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[6] Vgl. z.B. Tac., ann. 1,78,2: Tiberius erläßt ein Edikt, in dem er die Abschaffung der 1%igen Verkaufssteuer ablehnt; diese sei eingeführt worden *post bella civilia.* Als zeitliche Angabe ergibt diese Aussage keinen Sinn, da das *aerarium militare,* für das die Steuer erhoben wurde, erst im Jahr 6 n.Chr. eingerichtet wurde. Vielmehr muß Tiberius die Situation der Veteranen vor und während der Bürgerkriege als Exemplum verwendet haben, um eine Abschaffung der Steuer in einer Nachbürgerkriegssituation ablehnen zu können (darüber genauer an anderer Stelle).

[7] Tac., ann. 3,6,3.

[8] Tac., ann. 3,7,1.

[9] Das Dokument wird von A. Caballos, W. Eck und F. Fernández publiziert werden.

[10] Tac., ann. 3,10,1.

[11] Tac., ann. 3,8.

nach dem Tod des Germanicus noch über ein Jahr im Osten bzw. auf der Rückreise aufgehalten. Dieser lange Zeitraum mußte das Gerede in Rom über die besonderen Beziehungen zwischen Tiberius und Cn. Calpurnius Piso lebendig halten. Denn war es eigentlich vorstellbar, daß Piso nach allem, was vorgefallen war, ohne Zustimmung des Herrschers sich so lange der Auseinandersetzung mit den Freunden des Germanicus und der Klärung des Sachverhaltes vor Tiberius entziehen konnte? Schließlich war Piso als Legat des Princeps nach dem Osten gegangen und man wußte, daß er Tiberius in tiefer Loyalität verbunden war.[12] Ein Befehl des Tiberius zur sofortigen Rückkehr war also schwerlich ergangen, da Piso dem wohl unvermittelt Folge geleistet hätte. Somit war sogar zu vermuten, daß die lange Abwesenheit und die langsame Rückreise Pisos den Vorstellungen des Tiberius entgegenkam; vielleicht erfolgte beides sogar im gegenseitigen Einvernehmen.[13] Ein Beweis dafür ist vermutlich kaum beizubringen, weder im Rom des Jahres 20, noch heute. Aber man darf mit einiger Wahrscheinlichkeit davon ausgehen, daß die Haltung vieler Senatoren und insbesondere die Stimmung bei der Plebs in Rom auch durch diese unklare Situation beeinflußt wurde.

Piso kehrte somit vermutlich im Oktober oder Anfang November des Jahres 20 nach Italien und Rom zurück. Nach Landung in Ancona zog er auf der *via Flaminia* nach dem Süden. Dabei mag er die eine oder andere engere, schon länger bestehende Beziehung zu Personen oder Gemeinden aufgefrischt haben.[14] Vor allem aber wurde gerüchtweise verbreitet, er habe sich während der Reise häufig bei den Soldaten der Legion gezeigt, die wegen des

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[12] Vgl. Tac., ann. 3, 16, 3 f.; mehrere Hinweise auf die enge Bindung zwischen beiden finden sich auch in dem neuen s.c.; unter anderem erfahren wir, daß Piso nach dem Tod des Augustus sogleich Mitglied in dem neuen Priesterkollegium der *sodales Augustales* wurde.

[13] Jedenfalls ist es zu einem brieflichen Austausch gekommen, vgl. Tac., ann. 2,78,1; auch im neuen s.c. wird ein *libellus* Pisos an Tiberius erwähnt, in dem Anklagen gegen den verstorbenen Germanicus erhoben wurden.

[14] So dürften Beziehungen mit Asisium bestanden haben; denn zwei epigraphische Texte aus dieser Stadt stammen von den Seviri des Jahres 7 v.Chr. und beide scheinen *Ti. Claudio Neroni II, C. Calpurnio Pisoni* gewidmet zu sein (CIL XI 5424 = D. 6619 = G. Forni, Epigrafi lapidarie romane di Assisi, Perugia 1987, 27 Nr. 11; in Nr. 10 ist der Text, vor allem die Dativform, vollständig erhalten). Über die Bedeutung dieser beiden Inschriften nähere Ausführungen in den Akten des Congresso internaz. sull' Umbria antica Assisi 1991 (im Druck).

Tacfarinasaufstandes aus Pannonien nach Africa verlegt wurde, dabei allerdings ihren Weg über die *via Flaminia* zuerst nach Rom nahm.[15]

Schließlich fuhr Piso zu Schiff den Nar und Tiber hinab und landete in Rom. Piso ging unmittelbar beim *Mausoleum Augusti* an Land, also dort, wo Ende März / Anfang April desselben Jahres die Überreste des Germanicus beigesetzt worden waren. Nach Tacitus stachelte dies die zornige Haltung des Vulgus gegenüber Piso noch an, zumal er bei hellem Tageslicht landete und von einer großen Klientenschar, wie es dem Rang der *familia Calpurnia* entsprach, erwartet wurde. Auch Plancina, Pisos Gattin, war von zahlreichen Frauen begleitet. Ob dort beim Mausoleum des Augustus ein normaler, von vielen anderen auch benutzter Landeplatz war, läßt sich durch keinerlei andere Quellenzeugnisse beweisen.[16] Für die Haltung Pisos und seine Einstellung gegenüber der öffentlichen Meinung in Rom wäre dies allerdings nicht unwichtig. Denn sollte dort kein üblicher Landeplatz gelegen haben, müßte man umso mehr eine weitgehende Mißachtung der Stimmung oder zumindest ein massives Verkennen der hauptstädtischen Situation von seiten Pisos vermuten. Auszuschließen ist beides nicht.

Piso, Plancina und ihre Begleitung dürften über die *via Lata*, die heutige via del Corso, in die Stadt eingezogen sein; dabei passierten sie die Ara Providentiae auf dem *Campus Agrippae*, also den Altar, der noch unter Augustus errichtet worden war, um die Weitsicht des Princeps hinsichtlich seiner Nachfolge zu dokumentieren. Ein Teil dieser *Providentia* bezog sich auch auf Germanicus, den Tiberius auf Weisung des Augustus adoptiert hatte.[17] Nicht ohne Grund hatte deshalb die nach dem Tod des Augustus gegründete Priesterschaft der *sodales Augustales* dem

[15] Tac., ann. 3, 9, 1. Man könnte auch in diesem Fall von einer bewußten Regie des Tiberius sprechen. Denn wenn für die Legion im Oktober/November auf dem Marsch durch Mittelitalien zunächst, wie Tacitus sagt, Rom das Ziel war, dann ist eine Überfahrt nach Africa noch im Spätherbst eher unwahrscheinlich.Was aber sollte die Einheit dann in Rom? War dafür die in Rom vermutlich leichtere Verpflegung ausschlaggebend oder dachte Tiberius, für alle Fälle, an eine Verstärkung des militärischen Schutzes? Tacitus gibt keinerlei Hinweise.

[16] Nach J. Le Gall, Le Tibre fleuve de Rome dans l'antiquité, Paris 1953, 259f. sollte man von einer solch regelmäßigen Landestelle ausgehen. Doch erschließt er dies gerade aus der Nachricht bei Tacitus.

[17] Der Zeitpunkt der Errichtung der *Ara Providentiae* war lange Zeit umstritten. Doch das neue s.c. zeigt ganz eindeutig, daß die Ara jedenfalls spätestens im

Germanicus gerade an dieser *Ara* eine Statue errichtet; auf dem *titulus* standen die Namen aller *sodales*, unter ihnen auch Cn. Calpurnius Piso.[18] Mancher der Zuschauer wird dies registriert haben.

Auf der *Via Lata* betrat man damals wohl noch den Stadtbereich, der einst durch die servianische Mauer eingeschlossen war. Dort muß sich somit ein Tor befunden haben. Dieses lag in der tiberischen Zeit noch wesentlich höher als es die heutige topographische Situation erkennen läßt. Denn die Eingriffe Traians beim Bau seines Forums, aber noch mehr die Umgestaltungen für das Monument für Vittorio Emanuele haben das Gelände erheblich verändert. Das *Arx* und *Quirinal* verbindende Gelände lag jedenfalls in der tiberischen Zeit noch entschieden höher. An dieser Stelle hat mit Wahrscheinlichkeit die *Porta Fontinalis* gelegen[19], durch die Piso mit seiner Begleitung den Kernbereich der alten Stadt betreten haben müßte, um sich zu seiner städtischen *domus* zu begeben.

Die Lage der *domus* Pisos war nach Tacitus so exponiert, daß der Historiker sie als *foro imminens* bezeichnen konnte.[20] Dieselbe Formulierung verwandte Tacitus auch für eine *domus*, die M. Iulius Vestinus Atticus, *consul suffectus* im Jahr 65, besaß: *imminentes foro aedes*.[21] Und genauso sagt er von L. Vitellius, dem Bruder des Kaisers Vitellius, man habe von den *Rostra* aus *domum imminentem foro* sehen können.[22] Irgendwelche topographischen Hinweise anderer Art für den Palast Pisos sowie der anderen Senatoren gibt Tacitus nicht. Zumeist wurde vermutet, diese Häuser hätten auf den

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J. 17 n.Chr. bestanden hatte, und dann spricht die allgemeine Wahrscheinlickheit dafür, daß sie bereits aus Anlaß der Adoption des Tiberius unter Augustus errichtet wurde (vgl. auch zuletzt J. Scheid, Romulus et ses frères, Rom 1990, 425 f.). Nur wenn übrigens die *Ara Providentiae* bereits im J. 14 beim Tod des Augustus errichtet und ihr Anlaß die Adoption des Tiberius war, wird voll verständlich, weshalb im September des J. 14 im Senat der Vorschlag gemacht wurde, zu Ehren von Livia eine *Ara Adoptionis* aufzustellen (Tac., ann. 1, 14, 2). Dies war einer der Vorschläge, um Livia stärker mit Tiberius gleichzustellen. Zur *Ara Providentiae* in Kürze auch M. Torelli, in: Lexicon urbis Romae I s.v.

18 Diese Information findet sich in dem neuen s.c.

19 Vgl. z.B. Platner-Ashby, A topographical dictionary of ancient Rome 408; F. Coarelli, Rom. Ein archäologischer Führer, Freiburg 1974, 20.

20 Tac., ann. 3, 9, 3.

21 Tac., ann. 15, 69, 1.

22 Tac., hist. 3, 70, 1.

Abhängen des Palatin oder auf der Höhe der Velia gestanden.[23] Beweisen ließ sich davon bisher nichts.

Das schon erwähnte *senatus consultum* gibt jedoch vielleicht einen Hinweis darauf, wo die *domus* Pisos gestanden haben könnte. Denn in den Strafbestimmungen, die der Senat formulierte, heißt es auch, die *curatores locorum publicorum iudicandorum* sollten das, was *Piso pater supra portam Fontinalem, quae inaedificasset iungendarum domum privaturum causa*, abreißen lassen.[24] Dies aber heißt, daß Piso an der *porta Fontinalis* im Besitz zweier *domus* war, die er in irgendeiner Form durch eine Einrichtung, die er auf diese *porta* gesetzt und über sie hinweggeführt haben muß, verbunden hatte. Was das gewesen sein könnte, braucht hier nicht zu interessieren. Wichtig ist nur, daß es sich um *domus privatae* gehandelt hat. Verbindet man nun das, was über die Lage der *porta Fontinalis* vermutet werden kann, mit dem taciteischen Ausdruck *domus foro imminens* und mit seiner weiteren Aussage über das Fest, das aus Anlaß der Rückkehr Pisos in seiner *domus* gefeiert wurde: *et celebritate loci nihil occultum*[25], dann ist die Wahrscheinlichkeit nicht gering, daß der städtische Wohnsitz Pisos eben an der *Porta Fontinalis* lag. D.h. aber, dieser Ort wies nicht nur eine oberhalb des Forums exponierte Lage auf, vielmehr machte das Tor, das Durchgang vom *campus Martius* in den alten Stadtbereich gewährte, diese Gegend zu einer äußerst belebten. Deshalb erregte das Fest in dem prächtig geschmückten Haus umso mehr Aufsehen und Anstoß: *fuit inter irritamenta invidiae domus foro imminens festa ornatu conviviumque et epulae.*[26]

Faßt man alle unsere Kenntnisse zusammen, die wir über den Einzug Pisos in Rom haben, und verbindet man sie mit den bekannten oder erschlossenen topographischen Gegebenheiten, dann wird deutlich, daß Piso offensichtlich kaum Anlaß sah, durch sein Verhalten eine besänftigende Wirkung auf die stadtrömische Bevölkerung oder auch auf seine Standesgenossen auszuüben. Agricola verhielt sich nach der Aussage des Tacitus bei seiner

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[23] Vgl. z.B. G. Lugli, Fontes ad topographiam veteris urbis Romae pertinentes. Regio urbis decima. Mons Palatinus, Rom 1960, 153 Nr. 142.144.

[24] Grammatikalisch ist die Stelle etwas schwierig, aber die Grundinformation ist klar. Zu den *curatores locorum publicorum iudicandorum* und ihren Aufgaben vgl. W. Eck, *Cura viarum* und *cura operum publicorum* als kollegiale Ämter im frühen Prinzipat, Klio 74, 1992, 237ff.

[25] Tac., ann. 3, 9, 3.

[26] Tac., ann. 3, 9, 3.

Rückkehr aus Britannien im J. 85 völlig anders, da er bewußt nachts die Stadt betrat, um jede Reaktion seitens des Volkes zu vermeiden.[27] Piso hat entweder die Situation falsch eingeschätzt oder hat zumindest dem Druck, der auch durch die *plebs urbana* ausgeübt werden konnte, in seinem Fall keine Beachtung beigemessen.

Wie lange die Vorbereitungen bis zum Prozeßbeginn mit den Verhandlungen vor Tiberius und der Rücküberweisung des Falles durch ihn an den Senat gedauert haben, läßt sich nicht genauer festlegen. Vermutlich hat der Prozeß am 30. November begonnen, in der Nacht vom 8. auf den 9. Dezember dürfte Piso seinem Leben selbst ein Ende gemacht haben.[28] Zwei Tage später wurden die Verhandlungen im Senat abgeschlossen.[29]

Piso hatte im Senat eine Welle der Feindschaft entgegengeschlagen, aber auch außerhalb des Sitzungsortes, *in Palatio in porticu quae est ad Apollinis*[30], machten sich die Emotionen gegen ihn massiv bemerkbar. Die Erregung, die zumindest Teile der stadtrömischen *plebs* bereits bei den ersten Nachrichten von der Erkrankung des Germanicus erfaßt und dann zu der langdauernden Trauer wegen seines Todes geführt hatte, war noch nicht abgeebbt. Vielmehr hatte das Volk die Verhandlungen im Senat verfolgt und, vermutlich auf Teilinformationen hin, den Schluß gezogen, Piso könne möglicherweise von der Anklage, Germanicus ermordet zu haben, freigesprochen werden. Diese—richtige—Teilinformation[31] scheint bei der versammelten Volksmenge zu tumultuarischen Zornesausbrüchen geführt zu haben: *non temperaturos manibus, si patruum sententias evasisset; effigiesque Pisonis traxerant in Gemonias ac divellebant,*

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[27] Tac., Agr. 40, 3.

[28] Die Daten lassen sich aus der Kombination der Angaben bei Tacitus mit dem aus dem s.c. bekannten Endtermin erschließen (cf. Tac., ann. 3, 13, 1). Dabei muß man davon ausgehen, die bei Tac., ann 3, 14, 1 genannte *defensio* gehöre noch nicht zu den drei für die Verteidigung anberaumten Tagen, vielmehr seien dabei die während der Anklage vorgebrachten Gegenzeugen und Gegenaussagen durch Piso und sein Verteidiger gemeint. Dann wäre das bei Tac., ann. 3, 15, 2 erwähnte Wiedererscheinen des Piso im Senat der erste der drei für die eigentliche Verteidigung vorgesehenen Tage. Somit hätte die Phase nach den zwei für die Anklage vorgesehenen Tagen und dem Intervall von sechs Tagen insgesamt vier Tage umfaßt; Tacitus nennt ursprünglich dafür drei.

[29] Tac., ann. 3, 14, 4.

[30] So nach dem neuen s.c.; der Sitzungsort war somit derselbe wie bei den Ehrenbeschlüssen für Germanicus Ende des Jahres 19.

[31] Tac., ann. 3, 14, 1.

ni iussu principis protectae repositaeque forent.[32] In diesen Handlungen entlud sich die Voreingenommenheit und der Haß der Menge gegen den, der nach ihrer Überzeugung ihren Liebling Germanicus im Zusammenspiel mit Tiberius und Livia aus dem Weg geräumt hatte.

Tacitus sagt nicht direkt, wer auf Befehl des Tiberius gegen die Menge vorgegangen ist und die Statuen Pisos wieder an ihren Platz verbrachte. Doch wurden ohne Zweifel Truppen, und zwar Prätorianer, eingesetzt. Für Tacitus genügte es wohl, daß im Satz, der an die eben ausgeschriebene Passage anschloß, ein Prätorianertribun beauftragt wird, Piso zum Schutz nach Hause zu begleiten.[33]

Die Auseinandersetzung mit der *plebs* wäre damit, wenn man Tacitus allein folgt, zu Ende gewesen. Er sagt vor allem nichts darüber, ob es bei den Demonstrationen gegen Piso irgendwelche Drahtzieher gegeben hatte; ferner erfahren wir nicht, ob Senat und Princeps sich zu den Vorfällen in irgendeiner Form geäußert haben.

Das schon erwähnte neue *senatus consultum* gibt uns nunmehr einen zusätzlichen, wenn auch beschränkten Einblick in die Spannungen, wie sie sich während des Prozesses außerhalb des Sitzungsortes des Senats bemerkbar gemacht hatten und welche Stellungnahme später dazu abgegeben wurde.

Nach Abschluß des Prozesses formulierte der Senat Dank und Anerkennung für alle, die an den dramatischen Ereignissen um den Tod des Germanicus und um das Verhalten des Cn. Piso *pater* sowie an der juristisch-politischen Bewältigung in den Tagen vorher beteiligt gewesen waren. Außer der gesamten *domus Augusta*, deren Mitglieder einzeln aufgeführt werden, schloß der Senat darin auch den *equester ordo*, die *plebs* sowie die *milites* ein.[34]

Der Senat hebt lobend hervor, die *plebs* sei mit dem *equester ordo* eines Sinnes gewesen und habe ihre *pietas* gegen den Princeps und die *memoria* an seinen Sohn deutlich zum Ausdruck gebracht. Und obwohl sie sich selbst durch ihre unbeherrschte, totale Parteinahme dazu angestachelt habe, die Bestrafung des Cn. Piso *pater* direkt zu vollziehen, habe sie sich schließlich doch nach

[32] Tac., ann. 3, 14, 4. Darauf bezieht sich ohne Zweifel auch die Bemerkung bei Suet, Cal. 2: *propter quae, ut Romam rediit, paene discerptus a populo.*

[33] Tac., ann. 3, 14, 5.

[34] Zeile 123–165 des s.c.

dem Beispiel des *equester ordo* vom Princeps leiten lassen (*cum effusissumis studis ad repraesentandam poenam Cn. Pisonis patris ab semet ipsa accensa esset, regi tamen exemplo equestris ordinis a principe nostro se passa sit*).[35]

Daß die *plebs* in die laudatio durch den Senat eingeschlossen wird, zeigt den politischen Stellenwert, der ihr, jedenfalls in der damaligen Konstellation, zugeschrieben wurde.[36] Diese politische Bedeutung ergab sich aber vornehmlich aus der Parteinahme, die die *plebs*, jedenfalls soweit sie sich artikulierte, für Germanicus erkennen ließ.[37] Dabei wird noch deutlicher als bei Tacitus auf die Möglichkeit hingewiesen, daß die *plebs* die Bestrafung des nach ihrer Ansicht schuldigen Cn. Piso *pater*—von Plancina wird nicht gesprochen—selbst in die Hand nehmen werde: *ad repraesentandam poenam Cn. Pisonis patris.* Die Gefahr der Lynchjustiz wird hier deutlich ausgedrückt, wobei die Ursache in den *effusissuma studia*, der unbeherrschten, totalen Parteinahme, bestand.[38] Allerdings wird auch im s.c. nicht auf irgendwelche Personen oder Gruppen verwiesen, die diesen Prozeß unter Umständen gesteuert hätten, vielmehr wird mit *ab semet ipsa accensa esset* betont auf das Gegenteil verwiesen. Es ist die Selbstemotion der *plebs*, die politisch hätte wirksam werden können. Ähnlich hat Tacitus die Parteinahme des Volkes für Agrippina nach ihrer Rückkehr aus Syrien während der Leichenfeier für Germanicus formuliert: *studia hominum accensa in Agrippinam.*[39] Tacitus und die offizielle Stellungnahme des Senats

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[35] Zeile 155–158.

[36] Es ist somit sicher nicht zutreffend, wenn R. Gilbert, Die Beziehungen zwischen Princeps und stadtrömischer Plebs im frühen Prinzipat, Bochum 1976, 203 meint, Tiberius habe die Plebs bewußt nicht als politischen Faktor gesehen bzw. nicht sehen wollen. Denn dann wäre die Plebs nicht im s.c. genannt worden. Die Nennung ist nämlich auch nicht durch das Konzept des *consensus universorum*, der im Zusammenhang der Plebs im s.c. erscheint, zu erklären. Vielmehr sind alle aktuell politisch wirksamen Gruppen eingeschlossen. Das zeigt insbesondere die betonte Wendung an die *milites* im Anschluß an die Plebs sowie die gezielte Publikation der Senatsbeschlüsse für die einzelnen politisch bedeutsamen Gruppen, das Heer eingeschlossen (Zeile 165 ff. des s.c.). Zu gering wird auch von I. Hahn, Zur politischen Rolle der stadtrömischen Plebs unter dem Prinzipat, in: Die Rolle der stadtrömischen Plebs im spätrömischen Reich, Eirene Tagung 1967, Berlin 1969, Bd. 2, 39 ff. die politische Rolle der *plebs* in frühen Prinzipat eingeschätzt.

[37] In der Passage ergeben sich teilweise enge sprachliche Parallelen mit der *tabula Siarensis* IIb 22f.: *quo facilius pietas omnium ordinum erga domum Augustam et consensu<s> universorum civium memoria honoranda Germanici Caesaris appareret.*

[38] Zur drohenden Lynchjustiz auch Suet., Cal. 2.

[39] Tac., ann. 3, 4, 2.

lassen somit übereinstimmend erkennen, daß die massive Volkserregung offensichtlich nicht durch Drahtzieher im Hintergrund hervorgerufen wurde, sondern ohne solche Nachhilfe, allein durch die Anhänglichkeit der *plebs* an Germanicus entstanden war. Das zeigte gleichzeitig die Distanz der *plebs* zu Tiberius.

Gerade weil die Selbstemotion beim Volk so stark war, bedurfte es der Leitung. Einerseits betont der Senat den *consensus* der *plebs* mit dem *equester ordo*, der seinerseits die notwendige politische Einsicht habe erkennen lassen.[40] Andererseits aber war das weit Entscheidendere, daß die *plebs* sich nach dem Beispiel des Ritterstandes vom Princeps habe leiten lassen: *regi tamen exemplo equestris ordinis a principe nostro se passa sit.* Dies war vor allem deswegen wichtig und notwendig, weil damit die herkömmliche gesellschaftliche und politische Ordnung wiederhergestellt wurde: Leitung des Volks statt unkontrollierter Selbstemotion und insbesondere Leitung durch den Princeps statt durch die Anhänglichkeit an Germanicus.

Das s.c. verdeckt somit nicht die Spannungen, die im Zusammenhang mit dem Prozeß in der stadtrömischen *plebs* aufgetreten sind, doch läßt es auch nichts von den konkreten Wutausbrüchen, dem Versuch, wenigstens die Statuen des "schuldigen" Piso zu vernichten, erkennen. Vor allem aber verschwindet das ohne Zweifel gewaltsame Eingreifen von Prätorianern gegen die Selbstjustiz übende Menge unter dem Deckmantel der Führung der *plebs* durch den Princeps. Diese Führung der großen Masse entsprach dem aristokratischen Ideal der *gravitas*, der Tiberius sich verpflichtet fühlte; zur *civilitas*, die Germanicus so meisterhaft beherrschte und die ihm die Zuneigung nicht nur der stadtrömischen Plebs eingebracht hatte, konnte er sich nicht verstehen.[41]

Somit ist der Passus des neuen s.c. einerseits ein Zeugnis für eine immer noch vorhandene politische Bedeutung der stadtrömischen Plebs, und zwar gerade in ihrer nichtorganisierten Form; zum anderen aber zeigt der Text, wie das Verhältnis zwischen *leader and masses* nach den Vorstellungen von Princeps und Senat beschaffen sein sollte: *regi . . . a principe nostro se pati.*

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[40] Vgl. auch W.D. Lebek, Consensus universorum civium: Tab. Siar. frg. II col. b 21–27, ZPE 72, 1988, 235 ff.

[41] Vgl. an verschiedenen Stellen Z. Yavetz, Plebs und Princeps, New Brunswick—Oxford[2] 1988, 13. 110 f. Vgl. allgemein zur Thematik auch M. Griffin, *Urbs Roma, Plebs and Princeps*, in: Images of Empire, hg. L. Alexander, Sheffield 1991, 19 ff.

Emilio Gabba

RIFLESSIONE SUL CAP. 13 DELLE *RES GESTAE DIVI AUGUSTI*

Allo storico che ha acutamente indagato l'atteggiamento della pubblica opinione nei riguardi di Cesare, e il significato e i destinatari dell'immagine che Augusto ha voluto lasciare di sé nelle *Res Gestae*, mi auguro che non siano discare queste brevi considerazioni che sono suggerite da un passo delle stesse *Res Gestae*. Devo dire preliminarmente che il tono generale dell' *Index* appare anche a me volto a precisare e a ribadire la legalità costituzionale di ogni azione del principe, in quanto derivata da decisioni del Senato e/o del Popolo romano; nei momenti nei quali questa legalità legittimante appariva inesistente, intervenivano fondamentali motivazioni connesse alla necessità ineluttabile di salvare lo stato, che riscattavano l'agire rivoluzionario, non senza rinvio più o meno esplicito a modelli del recente passato. A me sembra che questo intento di fondo Augusto lo volle proporre (e su di esso insistere) quasi a suggello di una propria interpretazione storica del suo regime, di contro a tradizioni ostili e ad opposizioni con le quali non era stato il caso di polemizzare da vivo, ma che era necessario, per quanto possibile, controbattere postumamente sul piano politico-storiografico: una sfida che sarà raccolta per esempio da Tacito nei capitoli iniziali del libro I degli *Annales*.

Legalità costituzionale e legittimazione della propria politica non significano affatto riduzione del ruolo innovatore del principe, della espressa consapevolezza della propria superiorità politica, della novità dell'ordine politico e sociale che si era realizzato. Il vertice di questa superiorità sembra raggiunto al cap. 35 con l'attribuzione nel 2 a.C. del titolo di *pater patriae* per volontà del Senato, dell'ordine equestre, del *populus Romanus universus*: un'attribuzione, quindi, che viene anch'essa fatta rientrare, quanto almeno agli aspetti esteriori, nelle forme tradizionali della decisione politica.

Vi è tuttavia un passo nel quale sembra che l'autopresentazione di Augusto tocchi un punto assolutamente nuovo, sul piano politico

e su quello storiografico, in quanto in parte al di fuori del quadro strettamente legalitario. Si tratta del cap. 13 delle *R.G.* ove è ricordata la chiusura del tempio di Giano: in esso si trova una singolare combinazione di elementi tradizionali e di fattori nuovi. Sono presenti due ragioni storiche: i *maiores* avevano stabilito la chiusura del tempio quando, a seguito delle vittorie per terra e per mare, la pace fosse stata ottenuta *per totum imperium populi Romani.* Si può notare che questa è una formula che si addice chiaramente alla realtà imperiale contemporanea. Livio cosi presenta la realtà dell'età di Numa: *clausus (Ianus) pacatos circa omnes populos significaret* (I, 19,2). Orosio VI, 22,1 all'interno della sua visione universalistica e provvidenzialistica dell'impero per la nascita del Cristo, cosi si esprimerà: *Itaque anno ab Urbe condita DCCLII Caesar Augustus ab Oriente in Occidentem, a Septentrione in Meridiem ac per totum Oceani circulum cunctis gentibus una pace compositis, Iani portas tertio ipse clausit.* Augusto aggiunge che la tradizione sapeva di precedenti chiusure del tempio in due sole occasioni. Il fatto eccezionale era che il Senato aveva potuto stabilirne la chiusura ben tre volte durante il principato di Augusto (*me principe*). Poco qui importava la precisazione delle due antiche occasioni e pur delle tre nell'età augustea: l'imperatore ritiene inutile ricordare queste ultime date. Il fatto straordinario, che Augusto vuole rilevare, sta nel confronto tra l'ampiezza cronologica della prima fase storica e gli anni del principato (confronto messo ben in evidenza da Suetonio, Aug. 22,1: *Ianum Quirinum semel atque iterum a condita Urbe ante memoriam suam clausum in multo breviore temporis spatio terra marique pace parta ter clusit*). Ora quella prima fase storica va dalla fondazione della città, *a condita urbe*, alla nascita di Augusto, *prius quam nascerer.* Non bastava ad Augusto localizzare le tre chiusure, per decisione senatoria, nell'arco del suo principato (la formula *me principe*, o *ante me principem*, ricorre anche a 30,1 e 32,3). Era propriamente la sua stessa nascita che diventava il momento di svolta della storia della città, in quanto Augusto voleva qualificarsi implicitamente come colui che aveva portato la pace (la formulazione del concetto augusteo è piuttosto banalizzata dalla traduzione greca: su tutto il capitolo sono ottime le osservazioni di W. Ensslin, *Zu den Res Gestae divi Augusti*, "Rh. M." 81 (1932), 362–363, presupposte anche per quanto si dice in appresso).

Sembra difficile immaginare una maggiore identificazione con la storia stessa di Roma. E' bensì frequente nelle *R.G.* l'insistenza

sull'epocalità, l'esemplarità e la priorità dell'azione di Augusto nel confronto con il passato, nel richiamo alla memoria storica collettiva, nella dimensione geografica (10; 12,1; 16,1; 26,4; 30,1; 32,3); qui il caso è differente. Al di là della terminologia impiegata e dei riferimenti storico-antiquari, siamo evidentemente fuori del quadro cronologico tradizionale e vi è una trasposizione della personalità di Augusto su di un piano universale. In un testo come le *R.G.*, fondamentalmente destinato (come io credo) a Roma, all'Italia, alle loro classi dirigenti, questo sembra essere l'unico punto nel quale l'autore avvalla direttamente un'interpretazione superumana, carismatica della sua persona e della sua azione.

A questo punto appare evidente il confronto con una serie documentaria di atti ufficiali: il dossier relativo all'introduzione nel 9 a.C. del nuovo calendario della provincia d'Asia, ottimamente studiato da Umberto Laffi, "Studi Classici e Orientali", 16 (1967), 5–98. Mi limito a richiamare l'editto del proconsole Paolo Fabio Massimo, sul quale sono stati poi chiaramente esemplati, con significativi ampliamenti, i testi dei decreti del koinòn d'Asia. I concetti espressi dal proconsole sono molto chiari: la nascita dell'imperatore corrisponde all'inizio di tutte le cose, se non dal punto di vista dell'ordine naturale, da quello dell'utilità; rappresenta la fine della degenerazione e della corruzione universale, l'inizio di un nuovo riassetto, il principio della nuova vita; è il termine e la fine del rimpiangere di esser nati. Di conseguenza: il genetliaco ha dato origine per tutto l'universo alle buone novelle annunciate per merito di Augusto (così si dice nel decreto del koinòn: Mazzarino, *Pensiero storico classico* II 2, 387; Laffi, 49–52; M. Pani, *Il senso del nuovo fra costume e politica,* in *Continuità e trasformazioni fra repubblica e principato*, Bari 1991, 125–126).

Dietro questa valorizzazione del giorno natale di Augusto (A. Fraschetti, *Roma e il principe*, Bari 1990, che tuttavia non mi pare discuta il passo delle *R.G.*) vi è un'ideologia filosofico-politica connessa alla concezione provvidenziale del sovrano la cui risalenza in età ellenistica e i cui fondamenti sono ben noti. In storici greci della parte orientale dell'impero questa interpretazione dell'imperatore aveva conosciuto presto un largo sviluppo. Ma va qui messo in rilievo che con il proconsole Paolo Fabio Massimo era lo stesso potere centrale a mettere in circolazione e a diffondere questa concezione (almeno nelle aree orientali dell'impero). Il

passo delle *R.G.* attesta senza equivoco che lo stesso Augusto voleva presentarsi con questa connotazione provvidenziale, che andava ben oltre la ambigua qualifica di *princeps*; essa veniva, per dire cosi, applicata alla storia di Roma, e sulla nascita di Augusto si fondava una periodizzazione della storia della città legata all'idea della pace. Come ci riferisce Suetonio, *Aug.* 94,18, la fiducia dell'imperatore nel suo oroscopo lo aveva indotto a porre sulle monete il segno del Capricorno, sotto il quale era nato.

In questo quadro cronologico fondato sulla sua persona era abbastanza ovvio che il Divo Giulio non potesse avere nessuna parte. Anzi. Viene alla mente quel giudizio popolare, che era però diventato valutazione politica e storiografica nell'opera di Tito Livio: *quod de Caesare maiore vulgo dictitatum est, et a T. Livio positum, in incerto esse utrum illum magis nasci rei publicae profuerit, an non nasci.* (Seneca, N.Q. V 18,4 = Liv. *fragm.* 48 Weiss.; Z. Yavetz, *Caesar in der öffentlichen Meinung*, Düsseldorf 1979, 15; 59). Il quesito, nella sua apparente astorica retoricità, conteneva tutta la forza di un giudizio storico negativo: forse che le disgrazie rappresentate per lo stato romano dalla nascita di Cesare si contrapponevano nel giudizio popolare alla felicità della nascita di Augusto? Non per niente era stato proposto che l'intiera età, dalla sua nascita alla morte, venisse chiamata *saeculum Augusti* (Suetonio, Aug. 100,3).

A. GIOVANNINI

CATILINA ET LE PROBLÈME DES DETTES

Le problème des dettes est un leitmotiv de l'histoire romaine, régulièrement évoqué dans le contexte de la lutte des classes au même titre que la question agraire ou les disettes. Il a été, en particulier, un facteur déterminant dans l'affrontement entre le consul Cicéron et son adversaire Catilina, le premier prenant résolument le parti des prêteurs alors que le second faisait des *tabulae novae* le thème central de son programme politique. Pour rendre hommage à l'auteur de *Plebs and Princeps*, qui a consacré à cette question un important article,[1] je vais examiner une nouvelle fois la nature de la crise financière de 63, essayer d'en identifier les causes et de comprendre les rôles respectifs de Cicéron et de Catilina dans cette affaire.

Il ne fait aucun doute que la conjuration de Catilina fut liée à une crise majeure provoquée par l'endettement tant des riches que des pauvres. Selon Salluste, le mal sévissait dans tout l'Empire (*Catil.* 16, 4: *aes alienum per omnis terras ingens erat*), tandis que dans sa lettre à Marcius Rex, le conjuré C.Manlius dénonce l'avidité des prêteurs (*Catil.*33,1: *egentes violentia atque crudelitate faeneratorum*). Cicéron, dans sa description impitoyable et partiale des partisans de Catilina (*Catil.*II, 18–23), insiste sur l'endettement qui accable les uns et les autres. Une année après la conjuration, en 62, il rappelle que les prêteurs furent littéralement assiégés par leurs débiteurs et que c'est grâce à lui qu'ils furent tirés de ce mauvais pas (*epist.* V, 6, 2: *qui ex obsidione feneratores exemerit*). Vingt ans plus tard, il évoque encore les affrontements de cette année-là, en se vantant d'avoir, par sa fermeté, rétabli l'ordre (*off.* II, 84: *Numquam vehementius actum quam me consule ne solveretur. Armis et castris temptata res est ab omni genere hominum et ordine; quibus*

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[1] Z. Yavetz, *The Failure of Catiline's Conspiracy*, Historia 12 (1963), p. 485–499. Voir aussi, id., *The Living Conditions of the Urban Plebs in Republican Rome*, Latomus 17 (1958), p. 500–517 = R. Seager (ed.), *The Crisis of the Roman Republic* (Cambridge/New York 1969), p. 162–179.

ita restiti, ut hoc totum malum de re publica tolleretur. Numquam nec maius aes alienum fuit nec melius nec facilius dissolutum est).

Comment et pourquoi en était-on arrivé là?

1. *Quique alienum aes grande conflaverat*

Pour Salluste (*Catil.* 14), les partisans de Catilina n'étaient qu'un ramassis de criminels et d'aventuriers, dont faisaient partie tous ceux qui étaient accablés de dettes—bien évidemment par leur faute—et qui espéraient s'en libérer par le crime et la révolution (14, 2: *quique alienum aes grande conflaverat, quo flagitium aut facinus redimeret*). Cicéron, dans le passage déjà évoqué de la seconde Catilinaire, s'en prend aux riches propriétaires qui refusent de vendre leurs terres ou de se séparer de leurs objets précieux pour s'acquitter de leurs dettes (II, 18); à ceux qui, bien que couverts de dettes, veulent néanmoins accéder au pouvoir par n'importe quel moyen (§ 19); aux vétérans de Sylla qui ont dilapidé leur patrimoine et se sont enlisés dans les dettes en menant une vie de luxe et de débauche (§ 20); à ceux, enfin, qui sont accablés de dettes et sont cités en justice à cause de leur paresse ou de leur incapacité ou pour les deux raisons à la fois (§ 21). Ce sont donc, comme il le dit dans le *De officiis*, toutes les couches sociales, tant en ville que dans les campagnes, qui sont concernées par le mal.

Dans l'article que j'ai cité au début (supra, n.1), Z. Yavetz s'est principalement intéressé à la plèbe urbaine et plus spécialement aux *tabernarii* et aux petits artisans. Il suppose que ceux-ci, qui ne disposaient d'aucune réserve, durent s'endetter pour faire face à une situation économique difficile, à quoi s'ajoutait la charge de loyers exorbitants. L'abolition des dettes promises par Catilina aurait donc été reçue par la plèbe urbaine avec un très grand enthousiasme.[2]

Cette explication me paraît en grande partie correcte. En effet, quelques années plus tard, en 47 ou en 46, César fit remise d'une année de loyer à la population de Rome et d'Italie (cf.

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[2] P. 495 sq.: "Such an abolition could have lightened the burden of shopkeepers and small artisans, who often found themselves in debt because of a lack of working capital. Exorbitant rentals were an additional cause of frequent indebtedness for the lower classes, whose daily expenses rose as a result of the rising cost of living".

infra, p. 20). La situation économique de la plèbe urbaine était de toute manière très précaire, de sorte qu'il suffisait de peu de chose pour qu'elle se trouve aux abois et réagisse en conséquence.

Je ne pense pas, cependant, que l'analyse de Yavetz suffise à expliquer le phénomène dans son ensemble. Tant Cicéron que Salluste disent sans équivoque qu'un bon nombre des personnes concernées étaient de riches propriétaires fonciers et que les sommes en jeu étaient considérables. Cicéron mentionne l'un d'eux dans le *Pro Sulla* (§ 56–58), le très fortuné P. Sittius, qui dut, précisément ces années-là, vendre une partie de ses vastes domaines pour payer ses dettes. Cicéron lui-même dit en plaisantant, à la même époque, qu'il s'associerait volontiers à une conjuration pour se débarrasser de l'énorme dette (2 millions de sesterces) qu'il a contractée pour acquérir une des maisons de Crassus (*epist.* V, 6, 2). L'endettement de la classe dirigeante est bien évidemment de tout autre nature que celui de la plèbe ou des petits paysans; il n'a plus rien à voir avec la lutte des classes. Il n'en mérite pas moins qu'on s'y intéresse et qu'on cherche à comprendre pourquoi, précisément à l'époque du consulat de Cicéron, cet endettement a pu constituer un problème particulièrement aigu.

Cet endettement de la classe dirigeante a plusieurs causes dont deux sont bien connues et bien étudiées; ce sont celles que dénonce Cicéron dans la seconde *Catilinaire*: le luxe et l'ambition politique.[3] Certains chiffres sont édifiants: les deux millions empruntés par Cicéron paraissent dérisoires en comparaison des 25 millions (de sesterces ou de deniers, on ne sait) que César devait à ses créanciers à la fin de sa préture[4] ou des 60 millions de sesterces dûs par Curion en 50.[5]

À ces deux causes s'en ajoute une troisième qu'il ne faut pas négliger. Les gens fortunés ne gardaient guère d'argent liquide. Ils plaçaient leurs biens en terres ou en créances, de sorte qu'une acquisition ou une dépense d'une certaine importance les obligeait

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[3] Cf. notamment W. Kroll, *Die Kultur der ciceronischen Zeit* (Leipzig 1933), p. 88–120 et M.W. Frederiksen, *Caesar, Cicero and the Problem of Debt*, JRS 56 (1966), p. 128-141.

[4] App. *B.c.* II, 26. Crassus lui prêta 830 talents, soit 20 millions de sesterces, pour le dépanner (Plut. *Caes.* 11, 2 = *Crass.* 7, 6).

[5] Val. Max. IX, 1, 6. Cf. d'autres exemples chez W. Kroll, *op. cit.*, p. 104 sq.

à recourir à leur tour à l'emprunt. C'est ce que fait par exemple un homme aussi avisé dans la gestion de ses biens que Pline le Jeune: pour acheter un domaine contigu au sien, il doit emprunter—il est vrai à sa belle-mère—la coquette somme de 3 millions de sesterces parce que, écrit-il à son correspondant, sa fortune est constituée principalement de biens immobiliers et de créances (*epist.* III, 19, 8: *sum quidem prope totus in praediis, aliquid tamen fenero, nec molestum erit mutuari*).

En fait, le recours à l'emprunt, que ce soit par ambition politique, par prodigalité ou pour toute autre cause, faisait partie du système. On empruntait et on prêtait à des parents, à des amis, à des patrons ou à des clients. C'était un phénomène endémique qui entraînait des conséquences néfastes bien connues, principalement pour les provinces qui en faisaient les frais. Mais il était un élément nécessaire et inévitable de cette société, et toutes les tentatives d'y remédier étaient condamnées à l'échec.

Au niveau de la classe des possédants, ce n'est donc pas l'endettement en tant que tel qui a pu provoquer le conflit aigu entre débiteurs et créanciers qui s'est produit vers 63. S'il a fallu contraindre les débiteurs à vendre leurs biens pour s'acquitter de leurs dettes, c'est qu'un désordre important et assez soudain a perturbé le marché, mettant les débiteurs dans une situation aussi délicate qu'imprévue.

Deux autres crises financières bien connues, survenues l'une au temps de la guerre civile entre César et Pompée et l'autre sous le règne de Tibère, nous aideront à y voir un peu plus clair.

2. *Les crises de 49–46 av. et de 33 apr. J.-C.*

Dans les conflits qui ont opposé et opposeront toujours créanciers et débiteurs, les taux d'intérêt jouent un rôle essentiel. À Rome comme ailleurs, l'État a dû intervenir pour limiter les taux; il aurait même, par une *lex Genusia* de 342, totalement interdit le prêt à intérêt.[6] Cependant cette loi, si elle a vraiment existé, n'a plus cours aux deux derniers siècles de la République. En effet,

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[6] Liv. VII, 42, 1; Tac. *ann.* VI, 16, 1; App. *B.c.* I, 232. Sur la législation romaine relative aux taux d'intérêt, cf. G. Billeter, *Geschichte des Zinsfusses im griechisch-römischen Altertum bis auf Justinian* (Leipzig 1898), p. 115 sqq.

en 193 av.J.-C., l'État dut intervenir parce que les prêteurs, pour contourner la législation sur les prêts, se servaient d'alliés de Rome comme hommes de paille, de sorte que les débiteurs se trouvaient accablés par des taux usuraires. Pour mettre fin à ces abus, un plébiscite imposa aux alliés et aux Latins les mêmes normes qu'aux citoyens romains (Liv. XXXV, 7, 1–5). La loi romaine autorisait donc à cette époque le prêt à intérêt, mais fixait en même temps un taux limite.[7] En 51 enfin, le Sénat fixa à 12 pour cent la limite du taux annuel autorisé (Cic.*Att.* V, 21, 13: *ut centesimae perpetuo faenore ducerentur*).

En 49, la guerre civile entre César et Pompée provoqua tout naturellement dans le monde financier une grave crise de confiance dont Dion Cassius nous donne une description aussi succincte que précise (XLI, 37–38). Des créanciers, qui avaient de gros besoins d'argent ou qui voulaient mettre leur argent en sécurité, pressaient leurs débiteurs, lesquels ne pouvaient payer parce qu'ils ne réussissaient ni à trouver des acquéreurs pour leurs biens immobiliers ni à contracter de nouveaux emprunts (ἐπιδανείσασθαι).

Bien que les taux d'intérêt aient été abaissés, les dettes ne se payaient pas, alors même que les débiteurs étaient disposés à céder leurs biens en paiement. La raison en était que les créanciers voulaient être remboursés en liquide (37, 3: τὸ ἀρχαῖον ἐν ἀργυρίῳ | ἀπῄτουν). Pour trouver une solution qui satisfît les uns et les autres, César fit confier à des arbitres l'estimation des biens des débiteurs et tenta de réprimer la thésaurisation en interdisant de détenir plus de 15,000 deniers en métaux précieux. César lui-même précise dans le *Bellum civile* qu'il fit estimer les biens immobiliers à leur valeur d'avant-guerre et obligea les créanciers à les accepter en paiement, dans l'intention, dit-il, de dissiper la crainte de *tabulae novae* et afin de préserver la réputation des débiteurs (*civ.* III, 1, 2–3: *cum fides tota Italia esset angustior neque creditae pecuniae solverentur, constituit, ut arbitri darentur; per eos fierent aestimationes possessionum et rerum, quanti quaeque earum ante bellum fuisset, atque eae creditoribus traderentur. Hoc et ad timorem novarum tabularum tollendum minuendumve . . . et ad debitorum tuendam existimationem esse aptissimum existimavit*). A son retour d'Orient, César confirma

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[7] G. Billeter, *op. cit.*, p. 134 sqq. pense au contraire que l'interdiction du prêt à intérêt ne fut levée qu'en 51 par le sénatus-consulte dont parle Cic. *Att.* V, 21, 13.

les dispositions prises concernant l'estimation des biens immobiliers qui avaient beaucoup baissé depuis le début de la guerre. Pour le remboursement, il déduisit en outre des dettes les intérêts qui avaient été payés entre-temps, ce qui réduisit celles-ci d' 1/4 (Suet. *Iul.* 42, 2: *de pecuniis mutuis disiecta novarum tabularum expectatione, quae crebro movebatur, decrevit tandem, ut debitores creditoribus satis facerent per aestimationem possessionum, quanti quasque ante civile bellum comparassent, deducto summae aeris alieni, si quid usurae nomine numeratum aut prescriptum fuisset; qua condicione quarta pars fere crediti deperibat).* Par ailleurs, César fit remise d'une année de loyer à la population de Rome et d'Italie, faisant sienne une mesure qu'avait proposée Caelius en son absence.[8] Enfin, il promulgua une loi, connue par le seul Tacite (*ann.* VI, 16, 1) "*de modo credendi possidendique intra Italiam*".

C'est précisément cette loi qui semble être au centre du différend qui opposa créanciers et débiteurs sous le règne de Tibère, en 33 apr. J.-C., et qui nous est connu principalement par Tacite (*ann.* VI, 16–17; cf. aussi Dion LVIII, 21, 4–5, qui se réfère également aux lois de César περὶ τῶν συμβολαίων). Tacite fait d'abord observer que la législation de César n'était plus respectée depuis longtemps à cause de la cupidité des prêteurs et donne ensuite un bref aperçu de la législation romaine sur les taux d'intérêt depuis les origines. En raison du grand nombre d'accusés, dont beaucoup de sénateurs, il fut accordé aux contrevenants, avec l'accord de Tibère, dix-huit mois pour mettre en ordre leurs comptes domestiques (16, 3: *Annus in posterum sexque menses dati quis secundum iussa legis rationes familiares quisque componeret*). Mais, continue Tacite, le problème n'en fut pas résolu pour autant. Il s'ensuivit une pénurie de numéraire qui désorganisa complètement le crédit (17, 1: *inopia rei nummariae, commoto simul omnium aere alieno*). En outre, le Sénat avait exigé des prêteurs qu'ils investissent en Italie les 2/3 des sommes récupérées. Mais les créanciers réclamaient le remboursement des dettes en numéraire (17, 2: *in solidum appellabant*)[9] et mettaient de côté les sommes récupérées en vue d'acheter des terres. L'abondance des biens

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[8] Dion XLII, 51, 1. Les propositions démagogiques de M. Caelius en l'absence de César sont décrites par ce dernier (*civ.* III, 20–21) et par Dion (XLII, 22–23). Caelius finit par être tué en Apulie après avoir tenté de soulever les esclaves.

[9] Selon Suet. *Tib.* 48, 1, les débiteurs furent contraints de rembourser immédiatement les 2/3 de leur dû.

immobiliers mis en vente fit chuter les prix (17, 3: *copiam vendendi secuta vilitate*), ce qui n'arrangeait pas les affaires des débiteurs. En désespoir de cause, l'empereur mit sur le marché, sous forme de prêts hypothécaires sans intérêts pendant 3 ans, 100 millions de sesterces, ce qui résorba la crise et rétablit la confiance des bailleurs de fonds. Mais, conclut Tacite, l'obligation d'investir en Italie les 2/3 de l'argent récupéré (17, 4: *emptio agrorum*) tomba bientôt en désuétude.

Ces deux épisodes agités de l'histoire de la finance à Rome ont fait l'objet d'excellentes études, de M.W. Fredericksen et de C. Nicolet pour la première,[10] de T. Frank, dans un article déjà ancien, pour la seconde.[11] Bien qu'elles se soient produites dans des circonstances historiques totalement différentes, elles présentent des similitudes évidentes, la seconde étant de surcroît associée à la première par la loi de César sur le crédit. Il suffira d'en rappeler les éléments essentiels:

— Dans les deux cas, la crise a pour origine une pénurie de liquidités. En 49, c'est la guerre civile qui retient les investisseurs et les incite à mettre leur argent en sécurité en exigeant d'être remboursés en argent liquide. Dans la crise de 33, l'*inopia rei nummariae* joue également un rôle déterminant, bien que dans ce cas les causes de la pénurie soient peu claires, par la faute de Tacite qui veut en rendre l'empereur responsable. Dans ce cas aussi, les prêteurs insistent pour se faire rembourser en liquide. Dans les deux crises, les mesures prises par César et par Tibère respectivement ont pour but de remettre l'argent en circulation: César tente de combattre la thésaurisation tandis que Tibère veut obliger les financiers à réinvestir en Italie puis, devant l'échec de cette tentative, se résout à mettre sur le marché de l'argent sans intérêts.

— Cette pénurie de liquidités a pour première conséquence

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[10] M.W. Frederiksen, *Caesar, Cicero and the Problem of Debt*, JRS 56 (1966), p. 128–141; C. Nicolet, *Les variations de prix et la "théorie quantitative de la monnaie" à Rome, de Cicéron à Pline l'Ancien*, Annales ESC 26 (1971), p. 1203–1227, aux p. 1214–1220.

[11] *The Financial Crisis of 33 A.D.*, Am. J. Ph. 56 (1935), p. 336–341, cf. *Ec.Surv. of Anc.Rome* V (Baltimore 1940), p. 32–35; voir également C. Nicolet, *art. cit.*, p. 1216–1218. C. Rodewald, *Money in the Age of Tiberius* (Manchester 1976), p. 1–17, conteste la théorie de Frank en ce qui concerne les causes de la pénurie de numéraire qui fut à l'origine du conflit, mais il ne remet pas en cause son analyse de la crise elle-même et de ses conséquences.

de paralyser les transactions, les débiteurs se trouvant dans l'impossibilité de s'acquitter de leur dette même s'ils le souhaitent. La situation dans laquelle se trouve, au début de 49, le frère de Cicéron en est une excellente illustration (Cic. *Att.* VII, 18, 4 et X, 15, 4): Quintus doit de l'argent à Atticus qui le lui réclame, mais ne peut le lui rendre parce qu'il n'a pas d'argent liquide, ne trouve personne pour lui en prêter et ne réussit pas davantage à récupérer une créance auprès d'un certain Egnatius qui, bien que fort aisé, se trouve exactement dans la même situation.

— Comme toujours en pareil cas, la pénurie de capitaux a entraîné une hausse des taux d'intérêt. Cicéron fait état au printemps de la *nummorum caritas*, c'est-à-dire de la cherté de l'argent, qui sévissait à ce moment,[12] ce qui nous autorise à penser que la loi de César "*de modo credendi*..." avait pour premier objet la limitation des taux.[13] Pour ce qui est de la crise de 33, le fait que Tacite commence son récit en disant que les prêteurs s'enrichissaient en contrevenant à la loi de César et en faisant un bref historique de la législation sur les taux montre bien que les taux d'intérêt pratiqués alors étaient excessifs et probablement illégaux.[14] Il est utile à cet égard de rapprocher, comme le fait Frank, les deux crises du phénomène inverse provoqué par le retour d'Octave à Rome en 29 qui, à cause du butin égyptien qu'il ramenait avec lui, fit tomber les taux d'intérêt de 12 à 4 pour cent (Dion LI, 21, 5; cf. Suet. *Aug.* 41, 1).

— Enfin, la pénurie de liquidités et la hausse des taux qui en résulte ont pour conséquence de faire baisser la valeur des biens immobiliers. Cicéron le fait remarquer à propos d'un domaine qu'il convoite: le vendeur refuse le prix que Cicéron lui en offre, mais celui-ci ne s'en formalise pas car il s'attend à ce que la cherté de l'argent fasse baisser les prix.[15] En 33, l'abondance

[12] *Att.* IX, 9, 4. C. Nicolet, *art. cit.*, p. 1219 n. 4, traduit correctement l'expression *nummorum caritas* par "cherté de l'argent", alors que J. Bayet et Shackleton Bailey traduisent par "pénurie de numéraire" et "money shortage".

[13] C'est l'opinion de M.W. Frederiksen, *art. cit.*, p. 134.

[14] C'est ainsi que le comprend T. Frank, *art. cit.* et *Ec. Survey* V, p. 33, où il traduit les mots *pecunias faenore auctitabant* par "increased their riches by usury".

[15] *Att.* IX, 9, 4: *sed nunc omnia ista iacere puto propter nummorum caritatem.* J. Bayet et Shackleton Bailey traduisent correctement *iacere* par "être en baisse" et "drop in value".

des biens mis en vente fit chuter les prix au détriment des débiteurs (Tac. *ann.* VI, 17, 3: *copiam vendendi secuta vilitate*...) tandis que les détenteurs de capitaux, au lieu d'investir aussitôt comme le voulait le sénatus-consulte, thésaurisaient en attendant que les prix soient au plus bas.[16] De nouveau, la comparaison avec la situation créée en 29 par le retour d'Octave est instructive: en même temps que les taux tombaient de 12 à 4 pour cent, la valeur des biens immobiliers monta en flèche. Comme le dit très bien C. Nicolet (*art.cit.*, p. 1218), "les rapports entre la circulation monétaire, sa contraction et sa dilatation, le taux de l'intérêt et les prix des terres nous paraissent donc très nettement établis dans les faits par la comparaison entre les textes et les événements de 49–45 avant et 33 après J.-C."

Les deux crises ont cependant une autre composante commune importante: l'obligation faite aux prêteurs remboursés d'investir en Italie une partie de leur capital. Si la formule utilisée par Tacite pour désigner la loi de César "*de modo credendi possidendique intra Italiam*" n'est guère explicite, l'obligation faite en 33 par le Sénat aux prêteurs de réinvestir en Italie les 2/3 des sommes récupérées avait pour but évident de combattre la pénurie de liquidités, de faire baisser les taux et d'empêcher l'effondrement du prix des terres en Italie. Or, nous dit Tacite, le sénatus-consulte fut appliqué avec rigueur au début, mais fut bientôt laissé aux oubliettes (VI, 17, 4: *acribus*... *initiis*, *incurioso fine*). De toute évidence, les détenteurs de capitaux rechignaient à investir en Italie. La question est de savoir pourquoi.

Une disposition similaire prise par Trajan (et reprise plus tard par Marc Aurèle) semble nous apporter la réponse. Pline le Jeune écrit à un ami qu'en Italie le prix des terres a soudainement grimpé à la suite d'un édit de l'empereur contraignant les candidats aux magistratures à investir en Italie le tiers au moins de leur fortune (*epist.* VI, 19). Conséquence de l'édit: les candidats s'arrachent au prix fort tout ce qui se trouve sur le marché et Pline conseille à son correspondant de vendre cher ses terres en Italie et d'acheter bon marché dans les provinces (VI, 19, 6: *Proinde, si paenitet te Italicorum praediorum, hoc vendendi tempus tam hercule quam in provinciis comparandi, dum idem candidati illic vendunt, ut hic emant*). Dans une

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[16] Ceci a déjà été compris par W.F. Allen, *The Monetary Crisis in Rome, A.D. 33*, TAPA 18 (1887), p. 5–18, aux p. 16 sq.

autre lettre (III, 19), sans doute antérieure à celle-ci, il fait part de son intention d'acheter un domaine contigu au sien, avec l'espoir de l'acquérir pour 3 millions de sesterces bien qu'il ait été précédemment vendu pour 5 millions. Il donne les raisons de cette moins-value: manque de main-d'oeuvre (*penuria colonorum*) et conjoncture défavorable (*communis temporis iniquitas*). Effectivement, de nombreux témoignages confirment le déclin de l'agriculture italienne sous le Haut Empire.[17] Les capitalistes hésitaient à investir en Italie pour la simple raison que le rendement y était plus faible qu'ailleurs, ce qui donne à penser qu'ils préféraient investir dans des provinces où, comme cela est attesté pour la Bithynie,[18] la main-d'oeuvre était abondante et donc bon marché.

En était-il déjà ainsi au dernier siècle de la République? Peut-on déjà observer une tendance à investir de préférence dans les provinces plutôt qu'en Italie? Nous allons voir, en revenant à la crise de 63, que tel était effectivement le cas.

3. *Les causes de la crise financière de 63*

Dans son plaidoyer contre Vatinius, Cicéron nous apprend que lors de son consulat il envoya son adversaire, alors questeur, à Pouzzoles pour y empêcher l'exportation d'or et d'argent (*Vatin.* 12: *ut inde aurum exportari argentumque prohiberes*). Dans le *Pro Flacco*, il fait allusion à cette même mesure en précisant que le Sénat était déjà intervenu dans ce sens précédemment, mais qu'il fit appliquer cette interdiction avec une rigueur toute particulière cette année-là (§ 67: *Exportari aurum non oportere cum saepe antea senatus tum me consule gravissime iudicavit*).

De cette intervention du Sénat et de Cicéron sur le marché des capitaux, C. Nicolet, suivi par H. Zehnacker, a correctement déduit que la crise de 63, comme celles de 49–46 avant et de 33 après J.-C., a eu pour origine une pénurie de liquidités et que celle-ci a entraîné les mêmes conséquences, à savoir une

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[17] Cf. V.A. Sirago, *L'Italia agraria sotto Traiano* (Louvain 1958), surtout p. 250 sqq. Il est probable, comme le pense Sirago (p. 256), que le célèbre édit de Domitien ordonnant l'arrachage des vignes dans les provinces (Suet. *Dom.* 7, 2) ait visé à protéger la viticulture italienne et donc à accroître la valeur immobilière des vignobles de la Péninsule.

[18] Plin. *epist.* X, 41, 2. Pline précise que la main-d'oeuvre est abondante dans les campagnes et plus encore dans les villes.

hausse des taux et une moins-value des biens immobiliers.[19] Cicéron y fait allusion dans la seconde *Catilinaire*, où il rend les riches débiteurs responsables des pertes qu'ils vont subir: s'ils s'étaient décidés à vendre plus tôt, dit-il, au lieu d'espérer s'acquitter de leurs intérêts avec le rendement de leurs domaines, il seraient maintenant plus riches (§ 18: *Quod si maturius facere voluissent, neque, id quod stultissimum est, certare cum usuris fructibus praediorum, et locupletioribus his et melioribus civibus uteremur*).[20] S'ils sont moins riches maintenant, c'est donc qu'entre-temps la valeur de leurs biens a diminué, ce que confirme du reste Valère Maxime (IV, 8, 3) qui en rejette la responsabilité sur Catilina. Quant à l'expression *certare cum usuris*, elle sous-entend que les intérêts à payer représentaient une charge excessive et que donc ils devaient être particulièrement élevés, voire usuraires. C'est donc pour faire baisser les taux et maintenir la valeur des biens immobiliers en Italie que le Sénat exerça en 63 un contrôle sévère du marché des métaux précieux.

Nicolet et Zehnacker attribuent la crise aux difficultés financières des publicains. Ils se réfèrent à un passage du *De imperio Cn.Pompei* (§ 14–19) où Cicéron expose les conséquences néfastes des guerres mithridatiques pour les finances de Rome et pour les affaires des publicains. Ce serait donc la ruine des sociétés de publicains qui serait à l'origine de la pénurie de capitaux en Italie.[21]

Je ne crois pas que ce soit la bonne explication. Cicéron ne dit nullement, dans ce passage, que les publicains sont ruinés; ce qu'il dit, c'est que les capitaux importants qu'ils ont investis en Asie (§ 17: *publicani . . . suas rationes et copias in illam provinciam contulerunt*; § 18: *partim ipsi in Asia negotiantur . . . partim eorum in ea provincia pecunias magnas conlocatas habent*) ne rendent pas ce qu'ils devraient. Il y a donc manque à gagner, certes, mais les capitaux existent toujours et ils sont investis dans la province. Et c'est cette constatation qui nous donne, à mon avis, la clé du problème: les financiers investissent leurs capitaux de préférence dans les provinces.

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[19] C. Nicolet, *L'Ordre équestre* I (Paris 1966), p. 383–386 et *art.cit.* (supra n. 10), p. 1220–1225; H. Zehnacker, *La terre et l'argent (Cicéron, Pro Flacco, 42–50)*, Rev.Et.Lat. 57 (1979), p. 165–186, aux p. 174 sq.

[20] Voir l'analyse de ce passage par C. Nicolet, *art.cit.* (supra, n. 10), p. 1222.

[21] Nicolet, *L'Ordre équestre*, p. 383 dit explicitement que "les désastres d'Asie ont ruiné les sociétés publicaines".

L'exemple déjà évoqué (supra, p. 17) de P. Sittius est à cet égard extrêmement instructif. Ce personnage, nous l'avons vu, avait chargé P. Sylla de vendre une partie de ses terres, qui étaient considérables, pour payer ses dettes (Cic. *p.Sulla* 56). Pourtant Sittius n'appartenait pas à la catégorie des riches héritiers qui avaient dilapidé leur patrimoine en folles dépenses; ce n'est pas non plus qu'il ait été ruiné par une carrière politique ratée. Sittius était un homme d'affaires qui avait des intérêts très importants aussi bien auprès des rois clients de Rome, notamment auprès du roi de Maurétanie, que dans les provinces (§ 58: *cuius aes alienum videmus . . . non libidine sed negoti gerendi studio esse contractum, qui ita Romae debuit ut in provinciis et in regnis ei maximae pecuniae deberentur*). Sittius avait tout simplement fait de la spéculation avec de l'argent qu'il avait emprunté en hypothéquant ses terres et c'est de toute évidence pour récupérer ses créances qu'il était parti en Maurétanie. Non seulement les détenteurs de capitaux investissaient leur argent de préférence dans les provinces, mais en outre ceux qui en étaient dépourvus mais possédaient des terres les hypothéquaient pour faire de même.[22]

Ce phénomène est dû à un principe élémentaire et universel du marché de l'argent dans une économie libérale: l'argent s'investit là où les rendements sont les plus élevés, pour autant bien sûr que les risques ne soient pas disproportionnés. Or la différence de rendement entre l'Italie et les provinces était énorme.[23] Il y a controverse sur la limite légale des taux en Italie, mais il est tout à fait certain qu'elle n'était en aucun cas supérieure à 12 pour cent. En temps normal, les taux étaient même bien inférieurs. Nous avons vu qu'en 29 les taux sont tombés de 12 à 4 pour cent, ce qui prouve qu'un taux de 12 pour cent est un taux de crise. En 54, la campagne électorale des candidats au consulat fut tellement acharnée que les taux passèrent en peu de temps de 4 à 8 pour cent (Cic. *Att.* IV, 15, 7 et *ad Q. fr.* II, 15, 4). Il apparaît donc qu'en Italie les taux étaient de l'ordre de 4 à 6 pour cent en temps normal et que ce n'est qu'en temps de crise qu'ils pouvaient atteindre, voire dépasser, la limite de 12 pour cent.[24] Dans les provinces par contre, c'était la loi de la jungle:

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[22] C. Nicolet, *L'Ordre équestre*, p. 373, comprend le mécanisme à propos de Scaptius et de Matinius (les créanciers de Salamine de Chypre), mais il ne l'applique pas à Sittius et à la crise de 63.

[23] Cf. W. Kroll, *Die Kultur der ciceronischen Zeit*, p. 93; C. Nicolet, l.l.

[24] Cf. G. Billeter, *Geschichte des Zinsfusses*, p. 163–177.

les taux pouvaient y atteindre 48 pour cent, comme le montrent la trop célèbre affaire de Salamine de Chypre et le décret de Gythion pour les frères Cloatii.[25] En outre, il était beaucoup plus facile, dans les provinces, d'imposer par la force si nécessaire le remboursement de la dette. Un riche Romain qui se disait insolvable ne pouvait être traité avec la brutalité dont firent preuve les créanciers des malheureux Salaminiens.

L'exploitation effrénée des provinces avait également une autre conséquence: les cités et les particuliers ruinés par les publicains et les *negotiatores* étaient contraints, pour payer leurs dettes, de leur céder à vil prix les biens qu'ils avaient engagés. Il était donc facile, dans les provinces, d'acquérir à bon compte des terres d'excellente qualité. Le phénomène a été mis en évidence par H. Zehnacker à propos d'un passage du Pro Flacco (*art.cit.*, supra, n. 19) et c'est dans ce même discours que Cicéron souligne l'excellente qualité et l'excellent rendement des terres d'Asie (§ 71: *agros habent et natura perbonos et diligentia culturaque meliores*). Pour des raisons différentes, il était plus intéressant, aussi bien sous la République que sous l'Empire, d'investir dans les provinces, soit pour y prêter de l'argent, soit pour y acquérir des biens fonciers.

Nous pouvons maintenant mieux cerner les causes de la crise financière de 63. Les spéculations de P. Sittius, les mesures très sévères prises par le Sénat pour empêcher l'exportation des métaux précieux montrent qu'à ce moment la tendance à délaisser le marché italien pour investir dans les provinces était particulièrement forte et devait donc être due à une situation conjoncturelle exceptionnelle.

Cette situation conjoncturelle exceptionnelle résulte très probablement des événements historiques des années précédentes. Après la mort de Sylla, la situation générale de l'Empire n'était guère favorable aux investissements hors d'Italie. La révolte de Sertorius, les guerres mithridatiques, l'insécurité résultant de la piraterie qui sévissait non seulement sur mer mais également sur les côtes et jusqu'à l'intérieur des terres, tout contribuait à rendre le marché financier morose, comme le dit Cicéron dans le passage cité plus haut de son discours en faveur du commandement de Pompée. Or ce sont précisément les campagnes victorieuses de Pompée qui ont rétabli en quelques années la sécurité sur terre et sur mer, ont relancé le commerce et créé de surcroît de

[25] Cic. *Att.* V, 21 et *Syll*^{3}.748.

nouvelles provinces qui, nous dit Cicéron, doublèrent les revenus de l'Empire. En un mot, grâce à Pompée la confiance était revenue, les affaires dans les provinces anciennes et nouvelles pouvaient reprendre. Nous constatons, dans la vie quotidienne, combien le marché financier est sensible à la situation politique dans telle ou telle région, combien et avec quelle rapidité le marché boursier peut fluctuer au gré des nouvelles bonnes ou mauvaises. Il n'en allait pas autrement à Rome: les succès de Pompée ont fait "monter les actions" dans les provinces et y ont draîné le capital. La pénurie financière qui sévit à Rome avant et pendant le consulat de Cicéron n'est pas due à une crise économique mais tout au contraire à une relance des affaires dans les provinces. On comprend mieux l'empressement des financiers à récupérer leurs biens; on comprend mieux aussi les spéculations de Sittius.

Pour les débiteurs aisés, la hausse des taux et la moins-value des biens immobiliers créaient des situations embarrassantes et des pertes importantes, mais rarement catastrophiques. Pour les petites gens, en revanche, une hausse, même relativement modeste, des taux représentait une surcharge qui pouvait devenir rapidement insupportable. Et ceci nous ramène aux travaux de Z. Yavetz sur la situation économique de la plèbe urbaine. Même si mon analyse des causes de la crise de 63 diffère de la sienne, les conséquences qui en résultaient pour la plèbe sont exactement les mêmes. Je ne sais pas si les *tabernarii* et les petits artisans étaient, comme il le pense, particulièrement endettés; mais il est tout à fait sûr que la hausse des taux a automatiquement entraîné, comme de nos jours, une hausse correspondante des loyers, conformément au principe déjà énoncé par Cicéron que les propriétaires compensent la hausse des taux par un accroissement correspondant de leurs revenus (*Catil.* II, 18: *certare cum usuris fructibus praediorum*). Or à Rome, nous en avons des illustrations en 54 et en 29, les taux d'intérêt pouvaient subir des fluctuations très importantes en peu de temps: de 4 à 8 pour cent en 54, de 12 à 4 pour cent en 29. Si les loyers ont subi des variations comparables dans les années 66–63, on imagine aisément la situation dans laquelle ont dû se trouver les locataires de Rome et d'Italie, qu'il s'agisse d'échoppes d'artisans ou de logements. Il en allait de même pour les petits propriétaires endettés ou des fermiers: la hausse des taux ou des baux fonciers leur rendait insupportable une condition qui était déjà bien difficile en temps

normal. En un mot: à des degrés divers et avec des conséquences différentes, toute l'Italie a été durement touchée par la fuite des capitaux d'Italie vers les provinces. On ne s'étonnera donc pas que le problème des dettes ait été au centre des débats pendant, et sans doute déjà avant le consulat de Cicéron.

4. *Le programme électoral de Catilina*

Face à cette crise, Cicéron prit le parti des financiers, de ceux qui "*ita negotiantur ut locupletes sint*" (Cic. *Q. fr.* I, 1, 6). La solution qu'il adopta fut de contraindre les débiteurs à vendre leurs biens hypothéqués aux enchères et en même temps d'enrayer la fuite des capitaux vers les provinces pour faire baisser les taux et empêcher l'effondrement des valeurs immobilières. On peut par ailleurs supposer que sa loi contre l'*ambitus* avait également pour but de faire descendre les taux.

La position de Catilina est plus difficile à saisir. En présentant Catilina comme une bête assoiffée depuis sa jeunesse de sang et de rapines, Cicéron et Salluste veulent nous convaincre que son programme était révolutionnaire dès le début, qu'il visait à renverser l'ordre établi, à spolier les riches pour s'emparer de leurs biens. Ils ont donc délibérément confondu, dans leur portrait de Catilina, l'homme politique qui brigue le consulat, d'une part, et l'aventurier désespéré qui prend les armes après sa seconde *repulsa*, d'autre part. Il en résulte qu'il est très difficile de distinguer ce qui, dans le "programme" de Catilina, était propagande électorale de ce qui devait être, après la seconde *repulsa* l'appel aux armes et à la guerre civile.[26] Or il paraît assuré que Catilina n'a décidé de recourir à la violence qu'à la suite et à cause de son second échec, et que s'il avait été élu, il n'aurait été qu'un nom de plus dans la longue liste des politiciens ambitieux qui ont rétabli leur fortune dans une province après leur consulat.[27]

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[26] Cf. A. La Penna, *Sallustio e la "rivoluzione" romana* (Milano 1968), p. 102: "E' chiaro che Sallustio ha confuso una propaganda politica condotta, sia pure in maniera più radicale, nell'ambito di quella dei populares, con il progetto di rivolta armata, con la congiura vera e propria". La remarque s'applique également à Cicéron.

[27] Cf. dans ce sens, parmi beaucoup d'autres, W. Kroll, *Die Kultur der ciceronischen Zeit*, p. 104 et surtout R. Syme, *Sallust* (University of California Press 1964), p. 75 sqq. Je ne pense donc pas non plus que Catilina ait participé à la premère conjuration de 66, pour autant que celle-ci ait vraiment eu lieu. Sur la conjuration en général cf. H. Drexler, *Die catilinarische Verschwörung. Ein Quellenheft* (Darmstadt 1976).

Dans l'optique de Cicéron et de Salluste, les *tabulae novae* que Catilina promit à ses partisans ne pouvaient donc être qu'une abolition pure et simple des dettes. C'est l'impression qu'ils veulent donner au lecteur et c'est effectivement ainsi que l'on traduit invariablement *tabulae novae* dans les traductions et dans la littérature scientifique. On traduit de même la formule χρεῶν ἀποκοπαί qu'utilise Dion Cassius à propos du programme de Catilina (XXXVII, 30, 2) et de certains tribuns de la plèbe de cette même année (XXXVII, 25, 4).

Mais *tabulae novae* ne signifie pas nécessairement "abolition", non plus du reste que χρεῶν ἀποκοπαί. Les *tabulae* étaient les comptes privés où étaient enregistrées les créances, avec les conditions du prêt et de son remboursement. Toute modification de ces conditions était donc formellement une *tabula nova*, qu'il s'agisse d'une réduction du capital ou des intérêts, d'un report de la date d'échéance ou de toute autre mesure favorable (ou défavorable) au débiteur.[28] En exigeant des prêteurs qu'ils mettent dans les dix-huit mois leurs livres de comptes en ordre, Tibère promulgua en fait des *tabulae novae* qui n'avaient d'autre but que de faire respecter la *lex Iulia* sur les prêts. En ordonnant à Scaptius et Matinius d'accepter le remboursement de leur créance au taux de 12 pour cent au lieu des 48 pour cent qu'ils avaient imposés aux Salaminiens, Cicéron promulguait une *tabula nova*. Le prêteur qui, de son plein gré, accordait comme les frères Cloatii une réduction d'intérêts à ses débiteurs, faisait une *tabula nova*, de même que celui qui comme Q. Considius en 63 et divers créanciers en 49 reportait l'échéance du remboursement.[29] Il est donc légitime de se demander si vraiment les tribuns de la plèbe qui réclamaient des χρεῶν ἀποκοπαί, si vraiment Catilina qui promettait des *tabulae novae* avaient l'intention d'abolir ou de réduire radicalement les

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[28] Cf. Ch. Lécrivain, Daremberg-Saglio V (s.d.), s.v. *tabulae novae*, p. 13: "Dans le droit public romain, l'abolition des dettes par une loi, leur réduction à une fraction du capital et des intérêts, la remise des intérêts arriérés, en un mot toutes les mesures qui avaient pour but le soulagement des débiteurs obérés, ont été généralement désignées par l'expression *tabulae novae*; car elles avaient pour résultat de faire porter sur les registres des créanciers . . . un paiement fictif ou de remplacer le titre antérieur par un titre nouveau".

[29] Q. Considius: Val. Max. IV, 8, 3 et C. Nicolet, *L'Ordre équestre*, p. 384 sq.; créanciers de 49: Cic. *Att.* VII, 18, 4, qui donne en exemple à Atticus, créancier de son frère Quintus, des créanciers qui ont accordé des délais à leurs débiteurs, et ceci sans augmenter les taux.

dettes. Ou pour poser la question autrement: les débiteurs à qui s'adressait Catilina avec son programme électoral et qui, en 63, s'en prirent si violemment aux *faeneratores* avaient-il vraiment l'intention d'obtenir l'abolition ou une très forte réduction de leurs dettes?

On peut sans doute répondre par l'affirmative en ce qui concerne la plèbe urbaine et les petits paysans. Pour eux, il ne fait aucun doute qu'une telle perspective aurait été reçue avec enthousiasme et aurait valu au candidat un large appui et de nombreuses voix.

Mais pour les débiteurs aisés, la question ne se posait pas du tout dans les mêmes termes. Comme je l'ai dit, l'emprunt faisait partie du système de cette société, il était indispensable à son fonctionnement. Il n'y avait pas de carrière politique sans un endettement très considérable; les transactions immobilières ou l'acquisition d'objets de prix ne pouvaient pas se faire, dans un monde où l'on ne gardait guère d'argent liquide, sans le recours à l'emprunt. Réclamer l'abolition des dettes eût été, pour les gens de cette classe, tout simplement suicidaire. Ils auraient certes, à court terme, fait un gain considérable; mais à long terme ils auraient perdu, et pour longtemps, la confiance des financiers. Ils auraient en fait détruit le système dont ils vivaient.

A cette considération s'ajoute que les débiteurs de cette classe étaient eux-mêmes des créanciers. Quintus Cicéron devait de l'argent à Atticus, mais il avait en même temps une créance auprès d'Egnatius lequel, étant riche, devait à son tour avoir des débiteurs. Cicéron se trouvait dans la situation inverse avec un certain Fabérius, qui lui proposait des créances en remboursement d'une dette.[30] Comme le montre l'exemple déjà cité de Pline le Jeune, les possédants plaçaient leur argent en biens immobiliers et en créances, conservaient un minimum en argent liquide et empruntaient à leur tour lorsqu'ils avaient besoin de numéraire en quantité. Pour eux, demander l'abolition des dettes eût signifié autant et peut-être plus encore une perte qu'un gain. Pour cette classe, à l'exception de quelques cas désespérés, l'abolition des dettes n'avait absolument aucun sens.

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[30] Cic. *Att.* XIII, 3, 1; 32, 1 et 33, 1–2: prudent, Cicéron se renseigne auprès de son ami sur la solvabilité des débiteurs de Fabérius. Sur l'affaire, cf. Fr. Münzer, RE VI 2 (1909), s.v. *Faberius* 2.

Dans les deux crises que nous avons examinées précédemment, celles de 49–46 avant et de 33 après J.-C., le différend entre débiteurs et créanciers ne portait pas sur les dettes elles-mêmes, mais sur les taux d'intérêt d'une part, les modalités et les délais de remboursement d'autre part. Alors que les débiteurs demandaient que la législation sur les taux soit respectée et réclamaient des délais pour le remboursement, les créanciers insistaient pour être payés tout de suite *et en liquide*, ce que justement les débiteurs étaient incapables de faire. Tout porte à penser qu'il en a été de même en 63: le conflit a dû porter, au niveau de la classe dirigeante toujours, sur les taux et sur les modalités de remboursement.

C'est pourquoi je ne pense pas que Catilina, dans sa campagne électorale, ait promis une abolition ni même une réduction importante des dettes. Pour qu'il ait des chances d'être élu consul, il ne suffisait pas à Catilina d'être populaire auprès de la plèbe, des petits paysans et des vétérans de Sylla; il lui fallait aussi et surtout l'appui d'une partie au moins de la classe dirigeante. Pour obtenir un tel appui, il lui fallait proposer un programme qui soit une sorte de compromis, comme l'ont été les mesures prises plus tard par César et par Tibère. A mon avis, Catilina a dû, comme ces derniers, promettre une réduction des taux et des modalités de remboursement plus favorables. Peut-être a-t-il aussi, comme plus tard César, promis une remise de loyer.

Mais pour les financiers, de telles mesures, même si elles étaient raisonnables et légitimes en soi, étaient inacceptables. Ils s'opposèrent farouchement à sa candidature, avec l'aide de Cicéron qui eut beau jeu, comme il savait si bien le faire, de prêter à son adversaire les plus noirs desseins. Mais Polybe n'a-t-il pas dénaturé, exactement de la même manière, la suspension des dettes décrétée par le stratège achéen Critolaos à la veille de l'affrontement décisif contre Rome?[31]

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[31] Voir le remarquable article de A. Fuks, *The Bellum Achaicum and its Social Aspect*, JHS 90 (1970), p. 78–89, aux p. 79–81, qui conclut (p. 81): "Be that as it may, the debt measures were moderate, temporary, and—*pace* some modern historians—a far cry indeed from social revolution".

Miriam Griffin

TACITUS, TIBERIUS AND THE PRINCIPATE*

Any reader of *Annals* I–VI is aware of the difficulties of fitting the Tacitean characterization of Tiberius, explicit and implicit, to the facts that Tacitus records. Here the well-worn question of just how unfair Tacitus was to the real Tiberius will only be incidentally addressed. The principal object will be to explore not so much the motivation of Tiberius as that of Tacitus, to suggest a reason why the historian portrayed Tiberius as a hypocritical tyrant, although much of the evidence he himself presents for Tiberius' own actions, for the Augustan precedents he inherited, and for recurrent patterns of imperial behaviour, creates difficulties for his own interpretation of the Emperor's conscious motives.

The reason proposed is this: Tacitus, consummate literary artist that he was, presented what he felt about the Augustan Principate *as a system*, in terms of the deliberate intentions of the Princeps, thus translating abstract ideas about the falsity and oppression of the form of government Augustus had created into the more dramatic portrayal of the hypocrisy and tyranny of his unfortunate successor.

A good place to look, not only to test the explanatory power of this idea, but also to explain what might have suggested this approach to the historian, is the starting point he chose for the *Annals*.

The starting point of the Annals

The question, "Why did the historian choose to begin his story here and not somewhere else?" can be asked of any narrative history and is usually answered most satisfactorily by asking,

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"Why not?". What makes the question particularly interesting in this case is that, although Tacitus appears to answer it himself in the way already traditional then—that is by showing why these particular events were worthy of, or required, a written account[1]—his answer is clearly both unsatisfactory in itself and contradicted by Tacitus himself.

In the first chapter of the *Annals*, Tacitus says that the history of the Republic had been set down by *clari scriptores*, that there were still *decora ingenia* under Augustus until the growth of adulation deterred them, and that accounts of the subsequent Julio-Claudian Emperors were marred by fear or malice. Therefore, he says, he will write briefly about the last part of Augustus' reign (*pauca et extrema*) and then proceed to deal with the subsequent reigns. This literary reason would indeed fit a narrative that started in the latter part of Augustus' reign, say in A.D. 4 where Ronald Syme thought he should have started in order to grasp "the realities of power".[2] But in fact, as the real title of the *Annals* shows, Tacitus started *ab excessu divi Augusti*, and his four prefatory chapters are not enough to persuade the reader that the work does not start with the death of Augustus, and that merely as a prelude to the accession of Tiberius. Moreover, Tacitus admits by implication later in the *Annals* that he had not dealt with Augustus' reign. For in Book III, he suddenly announces that, if he lives long enough, he will write up events of the Augustan age, and the precise period he is talking about is the latter <u>half</u> of the reign when the two Julia's were disgraced (3.24.3).

If, as is possible, Tacitus did not intend his promise at 3.24 to write up *cetera illius aetatis* to limit his writing intentions to the later years of Augustus, that would cast doubt on the sincerity with which he offered his high estimate of the early Augustan historians in 1.1. In fact, a substantial reason to doubt that Tacitus really believed what he wrote there about their merits is furnished by the opening chapter of his *Histories*, written about a decade before. There he had contrasted the *magna ingenia* who recorded the history of the Republic, with the inferior writers of

[1] Herodotus and Thucydides began their works in this way and were followed by the Roman historians: e.g. Sallust, *Iug.* 5.1; *Cat.* 4.3–4; Livy 1, pref.
[2] R. Syme, *Tacitus* (Oxford, 1958), pp. 369–70; 427.

the period after Actium, when, he says, truth was destroyed, first through ignorance of the workings of the new government, then through sycophancy or malice towards the ruler. It is true that the discrepancy between Tacitus' view here and that in the *Annals* can be otherwise explained: he could have read more of the early Augustan historians and thus acquired a better opinion of them in the interval between the composition of the two works; or there is Goodyear's pedantic point that the two passages are formally compatible, because the end of *magna ingenia* does not preclude the existence of merely *decora ingenia*.[3] Nonetheless, it is tempting to think with Syme that in the opening chapter of the *Annals*, Tacitus was doing no more than pay an empty compliment to the early Augustan historians, the men who are later praised in the speech of Cremutius Cordus (4.34).

In any case, there is still the argument from Tacitus' effective starting point: the merits of the contemporary historical accounts of all but the very last part of Augustus' reign can hardly be the real reason why Tacitus chose to start the *Annals* not there, but with the accession of Tiberius. It follows that his literary reason for starting where he did—to replace inferior accounts of Augustus' later reign—is not his real reason.

Syme suggests another reason.[4] With Tiberius the Principate first became a permanent form of government with the imperial prerogatives granted, not separately according to particular circumstances, as with Augustus, but confirmed (though not conferred) all at once. Yet this seems a curious explanation of the practice of a historian who, as Syme admits, was not interested in the constitution but in the realities of power and the motives of those who wield it. Moreover, Tacitus clearly took the view that Augustus *had* established a permanent system, even providing for a successor: this assumption is shared by both the favourable and the hostile speakers at Augustus' funeral (*Ann.* 1.9.4–5; 1.10.7).[5]

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[3] F.R.D. Goodyear, *The Annals of Tacitus*, vol. I (Cambridge, 1972), p. 95.
[4] Syme, *Tacitus*, pp. 369.
[5] This objection must also count against the suggestion of D. Timpe, that Tacitus started the *Annals* where he did because he saw the first transfer of power as the test of the Augustan system: the fact that Augustus' power could be transferred meant that the Principate was an institution, not just another in the list of examples of personal *dominatio* given in the first chapter (*Untersuchungen zur Kontinuität des frühen Prinzipats* (Wiesbaden, 1962), pp. 17–19).

Shotter comes closer when he writes, "This year showed up Augustus' settlement for what it was" and calls the accession of Tiberius the "moment of truth" when tensions and relationships were on the point of erupting.[6] Perhaps one can go further than this and suggest that the real explanation of Tacitus's starting point lies in the possibilities the historian saw in the readymade tradition of Tiberian *dissimulatio* and the great part it played in the accession debate. As Balsdon demonstrated long ago, Tacitus did not create the portrait of the dissembling Princeps.[7] He built on what was already present in the sources that he, Suetonius and Dio all used and which had its basis in personality traits of the real Tiberius: an inability to communicate (mentioned by Tacitus at 1.11.2), a reluctance to expose his feelings and the resulting impression of deviousness that Dio expressly mentions (57.1). The tradition of the *impudentissimus mimus*, as Suetonius (*Tib.* 24) calls it, presented Tacitus with a wonderful opening. The falsity of the Principate could become incarnate in the hypocrisy of the new Princeps.

For Tacitus, the Principate that Augustus created was a fraud, and its creator a hypocrite, as is made clear by such memorable phrases as "cuncta . . . nomine principis sub imperium accepit" (1.1.1), "consulem se ferens" (1.2.1); "eadem magistratuum vocabula" (1.3.7); "quasi . . . aut Varro consul aut illud res publica esset" (4.19.3). Whether or not Tacitus was right about the Principate,[8]

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[6] D.C.A. Shotter, "The Starting-Dates of Tacitus' Historical Works", *CQ* 17(1967), 158 ff.

[7] J.P.V.D. Balsdon, Review of D.M. Pippidi, *Autour de Tibère*, *JRS* 36 (1946), 168 ff.

[8] I am not, however, convinced by the arguments to the contrary advanced by F.G.B. Millar, "Triumvirate and Principate", *JRS* 63 (1973), 50 ff. and E.A. Judge, "'Res Publica Restituta', a Modern Illusion?", J.A.S. Evans (ed.), *Polis and Imperium* (1974), pp. 279 ff. Though the expression *res publica* itself only rarely means the "Republic" as opposed to "the commonwealth" or "the functions of government", the thrust of the sentence in *Res Gestae* 34 lies not in that word (which here cannot meant the "Republic" as it refers to an entity that existed through the period when Augustus was "potitus rerum omnium"), but in the words "in senatum populique Romani arbitrium transtuli": that constitutes a promise to restore sovereignty to SPQR where it rested under the Republic. Augustus goes on to imply that afterwards he was constitutionally a magistrate like any other, receiving his powers from, and subject to the control of, senate and people. In Suetonius *Aug.* 28 the unfulfilled intention "de reddenda re publica" was a handing over of public affairs accompanied by retirement into private life ("sed reputans et se privatum", cf. Tacitus *Ann.* 4.9.1.)

the above interpretation of what Tacitus was up to, namely, making the Principate incarnate in Tiberius, can help to explain certain features of the account Tacitus gives of the accession debate, features which, as will appear, are characteristic of his portrait of Tiberius in general.

The Accession Debate

Tacitus is concerned to show that Tiberius was insincere in his behaviour after Augustus' death in two related respects: 1) in pretending not to be Princeps while already acting as one, at least outside the Senate. 2) by pretending that he did not want the power when he did.

1) What Tacitus conveys through telling phrases like "nusquam cunctabundus nisi cum in senatu loqueretur", Suetonius has one of the senators spell out (*Tib.* 24): "Some people are slow to do what they promise; you are slow to promise what you have already done." For Tacitus the reign of Tiberius really began with Augustus' demise, and the *fama* which is said to have carried both pieces of news (1.5.4) is confirmed by the historian in the very next sentence: "primum facinus novi principatus" (1.6.1), referring to the murder of Agrippa Postumus. Yet, if we ignore Tacitus' ascription of this covert crime, which can hardly count as public behaviour belying his public pretensions, what had Tiberius done except exercise the powers that, by Tacitus' own account, he had been granted by Augustus? At 1.3.3 we have been told that, after the deaths of Gaius and Lucius Caesar, Tiberius' position vis-a-vis Augustus was "filius, collega imperii, consors tribuniciae potestatis". At 1.7.3 Tacitus admits that, when Tiberius summoned the Senate through an edict issued explicitly in virtue of his *tribunicia potestas*, which he had received under Augustus, that act was compatible with being *ambiguus imperandi*, especially as he stated in the edict that this was the only public function he was discharging. But when Tiberius exercised the *imperium* which had been conferred on him in A.D. 13 on the same terms as Augustus enjoyed.[9] Tacitus takes an entirely different

[9] Suet. *Tib.* 21.1; Vell. Pat. 2.121; *Res Gestae* 8: "consulari cum imperio conlega Tiberio Caesare".

view of the matter. He describes the giving of the password to the praetorians as acting "ut imperator" and the sending of letters to the armies as "tamquam adepto principatu".

There is no time here to go into the constitutional issue itself, but, in any case, there is no need to believe, as has been suggested, that Tacitus was pointing to some defect in Tiberius' powers.[10] Tacitus' view is not that Tiberius was usurping powers and ignoring the fact that he lacked imperium or a sphere in which to exercise it before the consular *relatio* was finally passed by the senate on 17 September, but that his command of the praetorian cohorts and his control of the provinces and armies were *in themselves* manifestations of the Principate, being essentially opposed to the Republican constitution that Tiberius affected to follow (1.7.3: "tamquam vetere re publica"). The praetorian guard, a development of the bodyguard that generals abroad had in the Republic, was an innovation in Rome of Octavian's after Philippi (Appian *BC* 5.3). For Tacitus it belongs with the existence of a monarchical court: "excubiae, arma, cetera aulae; miles in forum, miles in curiam comitabatur" (1.7.5). Dio similarly points up the hypocrisy of Augustus' offer to resign his powers in 27 BC by noting that his very first act after the senate had talked him out of his renunciation was to increase the pay of the Guard (53.11.5) and he similarly quotes with irony Tiberius' statement on this occasion: "The soldiers belong not to me, but to the state" (57.3). Again. for Suetonius, Tiberius' guard of soldiers bely his hesitation, for they are "vis et species dominationis" (*Tib.* 24).

Similarly the control of the provinces by the Princeps ended the *senatus populique imperium*, as Tacitus says in *Annals* 1.2.3. Therefore, for Tacitus, the *imperium* divorced from office that Augustus acquired in 23 BC did not count among Augustus' constitutional pretenses: it openly established autocracy. Caesar Augustus may have shared his view, for he avoided recording the grant explicitly in *Res Gestae* and either left the description

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[10] According to A.H.M. Jones, "The Imperium of Augustus", *Studies in Roman Government and Law* (Oxford, 1960), pp. 16–17, Tiberius suffered from a lack of consular *imperium*; according to R. Seager, *Tiberius* (London, 1972), p. 54, he lacked a province in which to exercise his *imperium*.

of his position as it was from 27 to 23 to stand in the prominent chapter 34, despite subsequent revisions to the text, or placed it there are the end of his life.[11]

Was Tacitus right to say that the powers Tiberius already possessed under Augustus, or at least the *imperium*, meant that he was Princeps, so that, short of renouncing them completely, there was no way in which his refusal to acknowledge his position could have any substance? If so, then Tiberius was being hypocritical in the senate, for it is clear from *Ann.* 1.13.4 that he had not renounced his tribunician power at the start of the debate, and from 1.14.3, where no grant to him is recorded before the grant of *proconsulare imperium* to Germanicus, that he had not renounced his *imperium consulare maius* either.[12]

But Tacitus here first of all ignores the inevitable uncertainty surrounding a first succession, an uncertainty that the consuls sought to dispel by taking the oath of loyalty and administering it to other key officials, the senate, soldiery and people, and then by bringing a proposal to the Senate: somebody had to control the situation and somebody already had the powers to do so. But that still left room for defining Tiberius' future role. So much for the first count of hypocrisy Tacitus brings against Tiberius, that of pretending not to be Princeps while behaving like one.

2) As for the second count of hypocrisy, that Tiberius pretended not to want the power, Tacitus deliberately ignores the fact that there *were* points to be cleared up about Tiberius' position, even if all were agreed that the Principate was to continue in some form and that he was to play some role in it. What shreds of evidence Tacitus allows us about the content of the debate, augmented by tidbits from Suetonius, suggests that Tiberius' hesitation concerned whether or not he was to exercise sole power and, if so, for how long. We must remember that for the last year of Augustus' life, Tiberius had been virtually joint princeps, being Augustus' colleague in both his major

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[11] The usual view that the *Res Gestae* was composed in stages, rather than all at once at the end of Augustus' life, has been challenged by E.S. Ramage, "The Date of Augustus' 'Res Gestae'", *Chiron* 18 (1988), 71 ff.

[12] The powers of Tiberius must have been regarded as settled before this grant was made to Germanicus (Syme, *Tacitus*, p. 411).

powers. Was it self-evident that he should continue alone? Germanicus was an obvious "socius principatus" as Suetonius says (*Aug.* 25.3). This may be the issue that underlies Tiberius' reference to the excessive burden only Augustus (just declared to be *divus* and hence officially rated as exceptional) could sustain alone (1.11.1). Then again, Tiberius' *tribunicia potestas* had been renewed in AD 13 (Dio 56.28,1), perhaps for ten years again, whereas that of Augustus had been for life (*RG* 10), and Tiberius' *imperium* too may have had a specified term.[13] Even if it did not, the definition of its sphere presupposed the Augustan division of provinces which could now be adjusted. The consuls' *relatio*, whatever it actually said, must have implied that Tiberius would have Augustus' original solo position and for an indefinite period.[14] Tiberius' mistake was that he expected the Senate actually to take the initiative in deciding afresh on the holders, shape and duration of powers that, according to the theory of the Principate, were in the gift of SPQR. Had he really wished to modify the *relatio*, the realities of power meant that he would have to suggest a new scheme himself, as Asinius Gallus tried to indicate when he asked "Caesar, what part of the *res publica* do you wish to be entrusted to you?" (1.12.2).

Either Tiberius was politically inept or he was insincere, which is clearly what his contemporaries and later historians thought. But the question for us is *why* Tacitus oversimplified the situation and misrepresented Tiberius' real or feigned hesitation, first about already being and then about wanting to be *solo Princeps* in the Augustan mould, so that it appears as a hesitation about actually being, and wanting to be, Princeps at all. It is hard not to feel that what Tacitus is really attacking is the ideology of

[13] P.A. Brunt, "The Lex de Imperio Vespasiani", *JRS* 67 (1977), 97–8. Suetonius' phrase, "nec tamen aliter, quam ut depositurum se quandoque spem faceret" and the remark of Tiberius he then quotes (*Tib.* 24.2) suggest that the duration of Tiberius' powers may have been under discussion.

[14] The expression used by Velleius Paterculus, "stationi paternae succederet" (2.124.2) may indeed, as B. Levick, *Tiberius the Politician* (London, 1976), pp. 78–9 suggests, echo the language of the *relatio*, for the phrase "paterna statio" (referring to the prospects of Tiberius' son Drusus) is found in the Tiberian senatorial decree concerning the trial of Cn. Calpurnius Piso, which is preserved on inscriptions from Baetica due to be published by W. Eck, A. Caballos and F. Fernández.

the Augustan Principate itself, which exhibited the two forms of hypocrisy ascribed to Tiberius: it was a system of one—man rule disguised as a government where sovereignty still resided in the senate and people; it was an autocracy where the autocrat was represented as a public servant reluctantly accepting from SPQR responsibilities heavier than ordinary magistrates. The accession debate is in fact turned by Tacitus into a kind of *refus de pouvoir*, comparable with that staged by Augustus in 27 BC. Béranger was therefore partly right in characterizing Tiberius' accession in this way, because, though Tiberius did not renounce his powers like Augustus on that occasion and though the debate was actually about size and shape (as suggested above), Tacitus' account obscures this fact, treating it as a straight offer and denial of power (1.13.5: "non ut fateretur suscipi a se imperium, sed ut negare et rogari desineret").[15]

Tacitus' misleading suggestion of a parallel with Augustus, his reproach to Tiberius for features of the Principate that, by his own account, the first Princeps had established, seem to me to point to the interpretation for which I am arguing. All that Tiberius' ineptitude did, in the accession debate and elsewhere, was to *expose* the falsity of the claim that the system was compatible with free senatorial debate and decision.

We can see this elsewhere in the *Annals*. Thus, in all three passages concerning the elections (1.14, 1.81 and 2.36), Tacitus shows us Tiberius deviously pretending not to have or want control of senatorial choice. Yet in the first (1.14.4), it is Augustus who had already named 12 candidates for 12 praetorships (indeed Velleius 2. 124 shows us that this was actually Augustus' own list of names to which Tiberius refuses to add names of his own); and in the third (2.36), Tiberius is just maintaining the same arrangement for the praetorian elections. As to the second (1.81), where Tiberius says that men other than those whose names he has given to the consuls as consular candidates can still make their *professiones* themselves to the consuls, the Emperor is just expressing here, tactlessly in the context, the theory of the Principate, while maintaining the practice of his predecessor. Tacitus himself has told us that, before Tiberius transferred

[15] J. Béranger, *Recherches sur l'aspect idéologique du principat* (Basel, 1953), p. 152 ff.

the elections from the assemblies to the senate, the most important decisions already lay in the *arbitrio principis* (1.15.1).

The artificiality of Tacitus' insistence on Tiberius' *dissimulatio* as a personal quality, which he can even exhibit on his death bed,[16] can be highlighted in two ways. First, Tacitus himself reveals to his readers that there was a different diagnosis of the ultimate disaster of Tiberius' principate offered by a contemporary: Lucius Arruntius believed that Tiberius had been corrupted by absolute power (6.48.2) and that his character had actually changed. Instead Tacitus chose to analyze Tiberius in terms of vices fixed in his character, at first dissembled and then gradually unmasked in deteriorating behaviour (6.51.3).[17]

The artificiality is exposed by Tacitus himself in another way. It is clear from his own narrative that Emperors other than Tiberius practise pretence. Tacitus's own references (6.45.3, cf. 6.20.1) in Book VI show that he represented Gaius as practising *simulatio* which he learned at his adoptive grandfather's knee. Nero has the habit, both in the moral (13.1.3.; 14.13.2) and the political spheres (15.35.3), like Tiberius. And, of course, Domitian had been portrayed as a master of the art in the *Agricola*, a portrait that was doubtless developed in the *Histories* (cf. 4.86). Tacitus knew well that the nature of the political system led to

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[16] *Ann.* 6.50.1. See A.R. Hands, "Postremo suo tantum ingenio utebatur", CQ 24 (1974), 316–7.

[17] C. Gill, "The Question of character-development: Plutarch and Tacitus", *CQ* 33 (1983), 469 ff. showed that ancient authors could conceive of character development, but he agreed with earlier writers (e.g. Syme, *Tacitus*, p. 421) that Tacitus portrayed Tiberius as having an unchanging character with faults that were at first concealed and then gradually unmasked. A.J. Woodman, "Tacitus' obituary of Tiberius", *CQ* 39 (1989). 150 ff. and (with R.H. Martin) *Tacitus: Annals IV* (Cambridge, 1989), pp. 28–30, suggests that Tacitus' phrase at *Ann.* 6.51.3 "suo tantum ingenio utebatur" means "he had only himself to rely on" and *ingenium* does not refer to Tiberius' real character. But even if this is right, the contrast between Tacitus' view and that of Arruntius remains, for Tacitus here emphasizes the concealment of vice ("fingendis virtutibus", "obtectis libidinibus") as one of the effects of the influence of other people on Tiberius from the beginning of his reign and points to released viciousness ("in scelera simul ac dedecora prorupit postquam, remoto pudore et metu suo...") as the effect of their disappearance from the scene. So the deterioration in Tiberius' *mores* is at least partly the lessening of *dissimulatio*, whereas the remark of Arruntius, "cum Tiberius post tantam rerum experientiam vi dominationis convulsus et mutatus sit", does not suggest that Tiberius was covertly evil at an earlier stage.

recurrent patterns of behaviour in those who ran it: thus he describes the monopoly of the functions of government by Augustus and Claudius in almost the same words (1.2.1; 11.5.1), and a parallel is drawn between the machinations of Livia at Augustus's death and of Agrippina at Claudius', underlined by the similar phrase used to describe the first crime of the new principate in each case (1.6.1: "primum facinus novi principatus"; 13.1.1: "prima novo principatu mors").[18] Of course, Tacitus was much too good an artist to produce a monotonous account of imperial behaviour. Instead, each reign has certain distinctive features emphasized, which teach us different things about the Principate. Perhaps because his reign was the first of the series in the *Annals*, the other personal idiosyncrasies of Tiberius seem overshadowed by Tacitus' relentless attack here on the fundamental characteristic of the imperial system, its hypocrisy. Tacitus even chose to adhere more rigidly here than later to the annalistic structure which only highlighted how bogus were the Republican pretensions of Tiberius and the Principate itself.[19]

Tiberius the Tyrant

Tacitus' Tiberius, we said, is not only hypocritical but deliberately tyrannical, for Tacitus also chose to present the *restriction on liberty* that he knew to be inherent in the Principate as a system (e.g. *Ann.* 1.1.1 where *libertas* = Republic; 1.4.1: "omnes exuta aequalitate iussa principis aspectare") as the result of the wilful cruelty of Tiberius. Indeed at 6.6 Tiberius is portrayed as the stock tyrant familiar to philosophers from Plato on, although elsewhere Tacitus implies that Augustus's successor faced real difficulties in trying to give dignity and freedom to a senate already accustomed to the servility and adulation which, he admits, Tiberius detested (2.87; 3.47).

Here too, Tacitus has built on certain characteristics of the real Tiberius a relentlessly consistent portrait. In at least three cases where the evidence could well have come from the *acta*

[18] R.H. Martin, "Tacitus and the Death of Augustus", *CQ* 35 (1955), 123 ff.

[19] J. Ginsburg, *Tradition and Theme in the Annals of Tacitus* (New York, 1981), pp. 11, 100, 127 n.4; Woodman and Martin, *Tacitus: Annals IV*, pp. 32; 78.

senatus, it seems hard to deny that Tiberius did spring to the defence of the *arcana imperii*. First, in his exchange with Asinius Gallus at 2.36 (which we have already mentioned in connection with the elections); then, at 2.38 where Tiberius, rebuking the senator Hortensius Hortalus for using his privilege of speaking outside the proposal before the house to put pressure on the Princeps, reminds him that the generosity of the Princeps can not be turned into a matter of routine or imperial obligation. Again, at 6.3 when a senator proposes some honour for the praetorian guard, Tiberius states the principle that the praetorians can receive orders and rewards from the Emperor only. It is surely significant, however, that Tiberius goes on to cite the practice of *divus Augustus* in this context: he is only stating one of the *arcana imperii*, a principle in force from the creation of the Principate, however much the senate might be consulted about military pay or the Princeps might on occasion say that the praetorians belonged to the state.

As with *dissimulatio*, we must distinguish, as Tacitus does not, between the effects of Tiberius' actions which may well have contributed to this abdication of senatorial reponsibility, and the Emperor's own motives and intentions. Two aspects of the reign of Tiberius may singled out as striking examples of the way in which Tacitus makes him the deliberate architect of types of repression latent in the Principate as a system: the restriction of opportunities for military glory and the proliferation of trials for treason.

Military Glory

One of Tacitus' favourite themes is the way Emperors tend to grudge senatorial commanders the chance to gain glory and prestige in war. He had already developed the theme in the *Agricola*, where he states explicitly (39) that it was particularly terrifying to Domitian to have a private citizen exceed the Princeps in military repute, for such a man would possess the principal virtue of a ruler. As we shall see later in the case of *maiestas*, we must not too readily conclude that Tacitus simply saw Tiberius as another Domitian, though that Emperor's obsessive reading of Tiberius' papers suggests that he himself saw a

similarity.[20] For Tacitus himself shows how Domitius Corbulo fared under Claudius and Nero, and the funeral inscription of Plautius Silvanus Aelianus shows that this characteristic of Nero had been publicly recognized by Vespasian.[21]

Under Tiberius, the restriction of opportunity for military glory takes a peculiarly sluggish form: military provinces are assigned to governors who are then not allowed to go out to their provinces; governors are kept in post for exceptionally long periods of time.

Tacitus seems to explain both of these habits in the same way at 1.80 where he suggests three possible unflattering motives for the Emperor's behaviour: 1) lazy reluctance to disturb existing arrangements (*taedium novae curae*). 2) lack of generosity in giving opportunities to many (*invidia*). 3) (clearly related to the other two and the one he himself favours) anxiety about finding a man who would not be too able and thus a threat to him, nor, on the other hand, incompetent and hence a disgrace to him.

In attaching this last explanation by the phrase "qua haesitatione" to the first category of men, i.e. those appointed but not dispatched, Tacitus seems to imply that Tiberius chose these and then continued to agonise as to whether they were the competent mediocrities he wanted. We know of two in this category: L. Aelius Lamia, was appointed as legate of Syria sometime after AD 21 but remained in Rome becoming prefect of the city and dying there in AD 33 (*Ann.* 6. 27); the other, Lucius Arruntius, was appointed legate of Hispania Tarraconensis in AD 23 or possibly 24 and stayed in Rome for the whole ten years of his term (6. 27; Dio 58.8,3). Suetonius (*Tib.* 63.2) supports Tacitus (*Ann.* 1.80; *Hist.* 2.65 of Arruntius) in regarding Tiberius as afraid of these men. For Arruntius, the explanation has some plausibility, for he was of high lineage (being a *nobilis* and related to the family of Sulla the dictator), he was able and ambitious, according to the view Tacitus attributes to the dying Augustus in *Ann.* 1.13, and he was hated by both Sejanus and Macro (*Ann.* 6.48.1) who could have represented him to Tiberius as alarming. But, as Syme pointed out, why should Tiberius

[20] Suet. *Dom.* 20.
[21] *ILS* 986.

have been particularly frightened of Lamia who had a respectable military record but was the first consul in his family?[22]

The problem is even more acute with the second and larger category of governors kept in post for exceptionally long periods of time. The example Tacitus is discussing at *Ann.* 1.80 is that of C. Poppaeus Sabinus who was appointed as legate of Moesia in AD 12 and held the post for 24 years until his death in AD 35. One can find other impressive examples, including six imperial governors of consular rank, two proconsuls of consular rank, and four equestrian governors.[23]

Tacitus describes Poppaeus Sabinus in a way that fits his account of the Emperor's motivation, saying he was of modest lineage (he was, in fact, a *novus homo*) and appointed not for any outstanding talent but because he was equal to the job but no more (6.39.3). Yet the same could hardly be said of Marcus Junius Silanus (cos. of AD 19), proconsul of Africa for six years (AD 29–35), who was of distinguished Republican ancestry and related to the imperial house. Nor of Cn. Cornelius Lentulus Gaetulicus, imperial legate of upper Germany from 29 to 39. Indeed Tacitus explains his failure to be removed after the fall

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[22] Syme, *Tacitus*, pp. 442–3 (with n.1). W. Orth, *Die Provinzialpolitik des Tiberius* (Munich, 1970), p. 89 overlooks this fact, treating Arruntius and Lamia as similarly threatening and favouring the motive of fear for Tiberius' retention of these absentee governors.

[23] The consular legates are C. Silius (cos. 13), in Upper Germany from 14 to 21; P. Cornelius Dolabella (cos. 10), in Dalmatia from 14 to 20; L. Munatius Plancus (cos. 13), in Pannonia for seventeen years between 17 and 35; L. Volusius Saturninus (cos. 3), in Dalmatia from 23 (possibly 21, succeeding Dolabella) into the reign of Gaius; Cn. Cornelius Lentulus Gaetulicus (cos. 26), in Upper Germany from 29 to 39; L. Apronius (cos. 8), in Lower Germany from at least 28 to 34 (the second date, based on *Ann.* 6.30.2, is not certain (*PIR*^{2} A 971), but is regarded as likely by W. Eck, *Die Statthalter der Germanischen Provinzen vom 1-3 Jahrhundert* (Cologne, 1985), pp. 112-13). In addition the praetorian legate Pomponius Labeo was in Moesia from 26 to 34. The proconsuls are M. Junius Silanus (cos. 19), in Africa from 29 to 35 (see Syme, "The Early Tiberian Consuls", *Historia* 30 (1981), 197—*Roman Papers*, vol. 3 (1984), pp. 1357–8); P. Petronius (cos. 19), in Asia 29–35: they illustrate the statement of Dio 58.23.5 that the tenure of senatorial provinces was prolonged up to six years for consulars. The equestrians are the governors of Judaea Valerius Gratus (15–26) and Pontius Pilatus (26–36) and the Prefects of Egypt A. Avillius Flaccus (32–38) and C. Galerius (16–31). Orth, *Provinzialpolitik*, pp. 132–2 omits the German governorship of Apronius and lists ten more examples of shorter tenure. These are less impressive, especially as he counts triennial tenures for imperial legates, which are not unusual.

of Sejanus, whose son was betrothed to his daughter, by a kind of pact he struck with the Emperor in which he promised to remain loyal as long as Tiberius let him retain his province (*Ann.* 6. 30.3–4). Tacitus was impressed by the hold Gaetulicus had gained over his soldiers and by the formidable support to his position offered by his father-in-law L. Apronius who held the neighbouring province of Lower Germany for at least six of the nine years that Gaetulicus retained his. In the lost books he would also have recounted how Gaius finally had to remove Gaetulicus by force on a charge of conspiracy.

Though it is not germane to our subject to scrutinise the motives for this behaviour attributed to Tiberius by other authors, it can be said in passing that they are just as implausible. The explanation that Suetonius offers at one point (*Tib.* 41), that this was part of the Emperor's general neglect of business after his withdrawal to Capri in AD 27, will not account for the case of Poppaeus Sabinus or for three of the others which belong to the first half of the reign. And the reason offered by Josephus (*AJ* 18. 172ff.), that fewer changes of governor would reduce the instances of extortion, could hardly have moved Tiberius after C. Silius, imperial governor of Upper Germany from AD 14 to 21, was found to be blatantly guilty of that crime himself (*Ann.* 4. 19).

We might have expected better of Tacitus. Some help with understanding why he offers such an implausible explanation of Tiberius' behaviour comes from a remark he makes in the mostly favourable account of the early years of Tiberius in Book IV. At 4.6.2–3, Tacitus first commends Tiberius for according magistracies (*honores*) on birth and merit, and then notes with apparent approval that Tiberius retained the carefully selected procurators who looked after his property in office for many years. Goodyear thinks that these two remarks, especially the last, contradict 1.80.[24] But, of course, in 1.80 Tacitus is concerned with provincial governors, from whom potential danger to the throne was most likely to come because of their opportunities for contact with the armies. There is no *contradiction* with what is said in 4.6, either on Tiberius' or on Tacitus' part: an Emperor could appoint

[24] *The Annals of Tacitus*, vol. 2, p. 182.

the well-born and able to city magistracies and yet keep them out of governorships, while Tacitus would not object to keeping procurators in office because that did not deny the upper classes opportunity for military glory. Yet the practice with regard to procurators highlights the psychological trait of the real Tiberius—indecisiveness—which Tacitus, to do him justice, includes at 1.80, as part of his explanation of the pattern in the more sinister cases. We may well feel that this *anxium iudicium* is in fact a sufficient explanation, given the difficulties that the more Machiavellian interpretation of Tacitus encounters with the facts about the retained governors.[25]

We find ourselves in a situation which is becoming familiar. Tacitus attributes to Tiberius the deliberate intention to restrict military glory, a phenomenon characteristic of the Principate, except when in exceptionally good hands. This motive is implausible, and Tiberius' conduct is better explained as ineptitude springing from certain defects of personality. Yet the *effect* of Tiberius' conduct is just as bad as if he had intended to produce the effect. In violating Roman tradition, which held that every high-ranking senator could handle armies and provinces and should be given the chance, Tiberius not only created military risks, as long tenures had in the Republic: he frustrated reasonable ambitions and gave the impression of fearing and deliberately discouraging high military achievement.

In this context, one might give a passing thought to the Germanicus problem. Though other notions of Tacitus, such as the glory of military expansion, must be invoked to explain why he depicts the treatment of Germanicus by Tiberius as he does, and though Germanicus is not an ordinary senator but a prince, one ingredient in Tacitus' account of the relationship between the Princeps and his adoptive son is surely Tiberius' grudgingness about military glory (1.52; 2.26.4–5; 2.42.1). And again, his own account shows Tiberius' policy in Germany to have been successful (2.26.3, cf. 2.44) and in line with Augustus' ideas (1.11.4), whereas Germanicus is harking back unrealistically to the early

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[25] Levick, *Tiberius*, pp. 128–9, though adducing more creditable reasons for Tiberius' conduct, accepts that his dislike of taking decisions was an important ingredient. Orth, *Provinzialpolitik*, p. 81 prefers to endorse the conservatism and passivity implicit in "taedium novae curae".

Augustan policy of reaching the Elbe implemented by his father Drusus and scrapped after the Varus disaster (2.14.4; 22.1; 41.2). The truth underlying Tacitus' account is that the rational foreign policy made possible by centralized rule interfered with the free play of personal ambition for glory, such as had characterized the Republic.

Maiestas

A final example of Tacitus' technique of transforming the evils of the Principate into the evil intentions of the Princeps will be *maiestas*. This is an appropriate climax to the argument, for the treatment of trials for treason has probably attracted more criticism than any other aspect of the Tacitean portrait of Tiberius.

In his general praise of the first nine years of this Principate, Tacitus marks one notable exception to the working of the legal system: "The laws, if one excepts the *maiestas* tribunal, were well applied (4.6.2)". Yet even an author as hostile to Tiberius as Seneca seems to regard what he calls "the frequent mania for accusation which reached almost epidemic proportions" (*Ben.* 3. 26) as a feature of his later years, to judge from his praise of the *prima tempora Tiberii Caesaris* in an earlier work (*Clem.*1.1.5). This was the period Seneca illustrates by telling the story of the slave who, when bringing his master the chamber pot, was careful to protect the imperial image on his master's ring by transferring it to his own finger.

Criticisms of Tacitus' handling of the treason trials can be put into two categories:

1) The historian exaggerates the evils of these trials, especially in the early part of the reign, trying through innuendo and generalisation to give an exaggerated impression of the number of cases and the severity of punishments, to misrepresent cases that, as his own account shows, were traditional treason trials for overt acts such as occurred even in the Republic (3.38.2), and finally to discount or represent as exceptions, the many cases in which ludicrous charges were actually dismissed (1.73; 2.50.2; 3.70) or men acquitted (1.74) or shown imperial clemency (4.31) or actually condemned on other

charges (3.38 and 70.1; 3.66–8).

2) Tacitus lays the blame for what evils occurred on Tiberius' personal intentions, although he himself says (1.72) that the verbal and other trivial charges that he and Seneca particularly deplore, did not start with Tiberius, but with Augustus in his last years, and although his narrative shows that Tiberius often intervened to quash charges or have men acquitted.

Most scholars have tended to treat the two counts against Tacitus together.[26] But the two counts can be separated, as Seager is inclined to do, defending Tacitus on the second but not on the first.[27] A similar line is taken by Barbara Levick, who thinks Augustus deserves much of the blame, not Tiberius.[28]

For the purposes of this enquiry, the two points about the Tacitean treatment must be put in a different form:

1) What does Tacitus see as the evils involved in the application of the *maiestas* law, and how far are these evils in fact specific to Tiberius' reign or any part of it?
2) Does Tacitus succeed in establishing his view at 1.72 that Tiberius *intended* (note the phrases—"reduxerat" at 1.72.2, "quanta Tiberii arte" at 1.73.1) to create the situation that Tacitus saw as an evil one?

1) It is important to be clear about the view that Tacitus takes at 1.72, where he says that Tiberius did not inspire belief in his *civilitas* (shown by rejecting the title of *pater patriae* and the oath to his own acta), because he had revived the law of *maiestas*. He maintains that it was the very implementation of the law, not its outcome in particular cases, that constituted the evil. For he deplores the Emperor's reply "exercendas leges esse" to the praetor's question, "an iudicia maiestatis redderentur", even though

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[26] e.g. F. Marsh, *Reign of Tiberius* (Oxford, 1931), pp. 106 ff.; 284 ff.; A. Garzetti, *From Tiberius to the Antonines* (Eng. trans. 1974), pp. 42–51; Goodyear, *The Annals of Tacitus*, vol. 1, p. 29, though he became less critical of Tacitus (vol. 2, p. 150).

[27] Seager, *Tiberius*, p. 162. The separation was already adumbraated in Syme, *Tacitus*, pp. 422.

[28] Levick, *Tiberius*, pp. 185; 195 ff.

the first cases that arise as a result are dismissed (1.73) or end in acquittal (1.74). In this judgement, Tacitus receives support from witnesses that deserve serious consideration, namely Tiberius' imperial successors, Gaius and Claudius, all of whom banned *maiestas* charges, or more probably, as Brunt has shown, what Dio calls ἀσέβεια, i.e. *maiestas* charges of the verbal and trivial kind that had started to be brought under the Principate (Dio 59.4.3; 60.3.6).[29] Under Nero, the consuls felt free to reject charges of this kind in the first year (13.10.2), and Tacitus says there were no such trials until 62 (14.48), by which time, in his view, the good period of Nero's reign was over (14.51.1).

It is important to note what conclusion was drawn by these Principes themselves from the reign of Tiberius, since it is often alleged that Tacitus simply read back into the reign of Tiberius the horrors of his senatorial experiences under Domitian. Again, still in the period before Domitian, Vespasian and Titus stated clearly that there were to be no such trials (Dio 66.9,1; 66.19). Dio quotes Titus' declaration which shows that what was being rejected were precisely the charges of verbal disloyalty against past and present Emperors that Tacitus particularly deplores. Now, had Tiberius' successors been reacting to the unfairness and cruelty of the verdicts, they would have been content merely to intervene repeatedly in particular cases, having charges dropped or instigating acquittals. Their ban on the *bringing* of such charges shows that, like Tacitus, they thought it was the application of the law that was the trouble. Thus, from the standpoint of Tacitus and of Tiberius' imperial successors, the statement of Goodyear, "What we most need to know before passing judgment on Tacitus or on Tiberius is whether many of the convictions for treason were demonstrably unjust" misses the point entirely.[30]

What then does Tacitus object to in the bringing of *maiestas* charges? First, he objects to the scope of the law as applied under the Empire. In the Republic, he says at 1.72, it covered only deeds, not words. In particular, as Cremutius Cordus makes clear at his trial in AD 25 (4.34.2), the Princeps and his pred-

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[29] P. A. Brunt, "Did Emperors ever suspend the Law of "Maiestas'?", *Sodalitas: Scritti in onore di Antonio Guarino, Bibl. Labeo* 8 (Naples, 1984), 469 ff.

[30] *The Annals of Tacitus*, vol. 2, p. 148.

ecessor were now protected by the law against defamation.

Second, he objects in this context to the procedural looseness of the senatorial court, which gave opportunities for penalties exceeding those in the Julian statute (14.48.2–4) and for the combining of charges (3.38.1; 3.67.3).

Now it is obvious from Tacitus' own account that this legal situation was not new with Tiberius. First, as concerns scope: in 1.72 we are told that Augustus first held an investigation of defamatory writing under the guise (*species*) of the *maiestas* law. It was used against Cassius Severus for defamation of men and women of rank. Though it was apparently only under Tiberius that charges of defamation of the Princeps and his family were first brought and accepted, the potential was obviously already there, as Seneca makes clear when he tells a story (*Ben.* 3.27) to illustrate the point that under Augustus insults aimed at the Princeps could be "molesta" if not yet "periculosa". The story is about a senator who goes to apologize to the Princeps in the morning because the night before, while in his cups, he had expressed the wish that the Emperor would not return from a journey, adding that all the bulls and calves—sacrificial animals—shared his sentiments.

As regards procedure, the looseness belongs to the senatorial court which, like the imperial court, employed the *cognitio* procedure rather than the more regulated procedure of the *quaestiones.* Tacitus himself indicates that Cassius Severus had been deported to an island by a decision of the senatorial court (4.21). That was in AD 12, but in fact the use of the senatorial court for treason trials is attested by AD 8.[31]

If we take into account the *de facto* extension of the *maiestas* law under Augustus and the exacerbation of the vagueness of the *maiestas* charge, already deplored by Cicero under the Republic,[32] through the procedural freedom of *cognitio*, Tacitus' view that the very implementation of the law was an evil becomes explicable. The vagueness of the notion of defamation and the new freedom in accepting charges brought with them fear of frank speech and the whole atmosphere of distrust and betrayal

[31] Ovid, *Tristia*, 2.131 ff.

[32] *Ad Fam.* 3.11.2, on which see Levick, *Tiberius*, p. 281, n.27.

that we see in the case of Titius Sabinus (4.68–9), where three senators are listening to a friend's conversation from a hiding place between the roof and a decorated ceiling, or in the stories of slaves spying on their masters (3.67.3), which Pliny describes a *servile bellum* (*Pan.* 42). The evils of delation too really come out in this context. Without police and state prosecutions, Roman justice depended on the initiative of individual accusers, as Tiberius is made to say at 4.30: they were spurred on by hope of reward (1.74.1–2; 4.30.3). Since these charges turned on remarks made at dinner parties and since it was difficult to say if a charge was clearly calumnious, *maiestas* being largely a matter of definition, *delatores* here operated with great freedom.

Tacitus knows that the potential situation is always there under the Principate, as when, after seven years of good behaviour, Nero lets it all happen again. How far does he succeed in establishing his view that Tiberius deliberately set out to realize that intention?

2) In 1.72 Tacitus says that Tiberius "had brought back" the *maiestas* law. He regards the lack of cases from Augustus' death until this point in AD 15 as a situation that could have continued. He indicates, as the point of reintroduction, the answer Tiberius gave to the praetor Pompeius Macer. Now Tiberius' answer at first glance appears unexceptionable, but, as Cuff made clear,[33] "the laws must be applied" is an appropriate remark to make about straightforward laws, but not about vaguely defined laws about political charges. Tiberius, as later Emperors did, could have banned the verbal and trivial cases ἀσέβεια, such as those about statues. In Tacitus' own day, when Pliny told Trajan that charges concerning his statue were being advanced in Bithynia, Trajan replied sharply, "You know it is my policy not to enhance reverence for my name through charges of *maiestas*" (*Ep.* 10.82).

Yet if we see things from Tiberius' vantage point in AD 15, we see that things are not so simple. Could Tiberius have foreseen the effect on the senate and on himself of these trials? And even if he could, how could he have openly gone back on a late Augustan precedent so early in his reign? Aside from

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[33] P.J. Cuff, "Tacitus, *Annals* i 72", *CR* 14 (1964), 136–7.

what may have been a superstitutious reverence on his part for the decisions of Augustus, he knew that the strength of his position lay in the prestige of Augustus whose successor, in every sense, he must clearly appear to be.

On the other hand, it must be admitted that Tiberius exacerbated the evils inherent in these trials. Though it is clear that once the senatorial court existed, it seemed to offer the best chance to senators accused of political offences (cf. 11.2), the freedom of that court, where voting was open even in the time of Pliny (*Ep.* 8.14.13 ff.), would obviously be difficult to maintain once charges concerning the Princeps were admitted, for everything would turn on what view the Princeps took of the charges. Tiberius' constant attendance at senatorial trials made that lack of freedom all the more evident (1.74.5; 4.42). And even when he was away, he made his involvement clear, so that after the letter he sent disapproving of the death penalty inflicted on Clutorius Priscus, the senate signed away its freedom by a decree fixing for the future a ten day gap between the passing and the execution of a capital sentence (3.51).[34] Tacitus' comment that mercy was not the result is borne out by what happens at 4.70 where Tiberius precipitates and approves of an instant execution (cf. Dio 58.10 ff.).

Then, though Tiberius acknowledged and mitigated the evils of delation in connection with Augustus' marriage legislation (3.28.4) or with sumptuary legislation (3.54), he protected accusers' awards in this most dangerous sphere, even in the case of defendants they had driven to suicide (4.30.2).

Finally, Tiberius was inconsistent, so that senatorial impotence was always being exposed by the need for fresh imperial guidance, as they failed to perceive a policy. Thus Tiberius at first rejects charges of irreverence to *divus Augustus* (1.73) saying that

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[34] As Suetonius (*Tib.* 75.2) and Dio (57.20.4) stress, the senate's decision was to be reviewed by the Princeps. The expression "sed non senatui libertas ad paenitendum erat" is usually taken to indicate that the senate had no legal power to review its verdict, but Tacitus' point must surely be that the condemned did not benefit from the new ruling because the senate was too cowardly to change its verdict and the Princeps too cruel. So Tacitus often uses *libertas* in speaking of the senate's lack of courage to act independently (*Ann.* 1.74.5; 14.12.1). Tacitus would surely have used an expression with *ius* for a legal right.

the gods could avenge their own wrongs. But two years later, he said that Appuleia Varilla should be convicted of *maiestas* if she had spoken irreverently of Augustus: insults to himself were to be ignored (2.50 cf. Suet. *Tib.* 28). Yet by AD 25, in the case of Votienus Montanus, he was countenancing just such charges (4.42).[35]

Nonetheless it is hard to follow Tacitus when he traces Tiberius' failure to discourage the crescendo of silly charges and servile verdicts to harshness and cruelty (3.51.2; 3.37.2; 4.31.2; 4.42.3). Tiberius' own utterances suggest a tormented man, at first perhaps afraid to forbid altogether the bringing of such charges because of Augustan precedent, and later unable to ignore them because prolonged exposure to them had made him a paranoiac. Indeed, if we compare *Annals* 1.72 with Suetonius's account (*Tib.* 58.1), it is clear that Tacitus himself injects some ambivalence into Tacitus' actions. For Suetonius, his reply to the praetor is a clear case of *saevitia* and the biographer completes the Emperor's "exercendas esse leges" by "et atrocissime exercuit", appending some examples of condemnations, whereas in Tacitus Tiberius is immediately shown as responsible for three acquittals.[36]

Yet again we see Tacitus treating as instances of Tiberian initiative, features that the historian clearly knew to be characteristic of the Principate and stemming from Augustan precedent. Though Tiberius' actions often expose or exacerbate these features, Tacitus' own narrative usually exposes the implausibility of the tyrannical motives and intentions he attributes to the Emperor.

Conclusion

The argument tends towards the conclusion that Tacitus knew what he was doing and that his own motive was not malice towards Tiberius, but a desire to portray dramatically and vividly a serious and honest interpretation of the working of the Principate without concealing inconvenient facts. It is after all

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[35] R. Martin, "Structure and Interpretation in the 'Annals' of Tacitus", *ANRW* II.33.2 (1990), pp. 1529–30 remarks that the Appuleia Varilla case "marks a distinct widening of the admissible grounds for the charge".

[36] The point is made by Martin, *ANRW* II.33.2, p. 1524, who also compares Dio 57.8.3 unfavourably with Tacitus.

Tacitus himself who, more than any of our other sources, enables us to doubt if Tiberius really was the wilful hypocrite and deliberate oppressor he portrays. But under the tendentious portrait of Tiberius lies the truth that the Principate itself was hypocritical and oppressive.

It is only possible here to hint at possible answers to two large questions that arise from this interpretation. First, how unjust to Tiberius is the picture that results from this technique? One must be careful not to overreact in favour of the Emperor. After all, the reign did end in a bloodbath. Tiberius was not deified and, long before the reign of Domitian, his later years had become a standard example of stinginess, suspicion and cruelty for moralists like Seneca. Even on the kindest interpretation, one can only exonerate Tiberius morally. Politically, the long-term effects of his ineptitude, particularly in the latter part of his reign, were as bad as those of deliberate tyranny. Thus his absence on Capri not only led to a neglect of important business but destroyed any hope of *rapport* between Emperor and senate, and the enormous responsibility he accorded his praetorian prefect proved a baneful precedent. Even the plebs were disaffected to the point of trying to burn his body in an amphitheatre in order to make the stingy Emperor provide at least one show (Suet. *Tib.* 75).

Finally, is there any reason why the method of presentation here ascribed to Tacitus would seem natural to him? For Tacitus there were only two sorts of explanation for historical events: *casus*, *sors*, *fatum* on the one hand; *aliquid in nostris consilium* on the other (*Ann.* 4.20.3). When he comes to give *ratio et causae* in *Hist.* 1.4, they turn out to be the conscious sentiments and consequent actions of different types of people reacting to the death of Nero. The Republican historian Sempronius Asellio and Cicero too had said that the historian should not merely record but explain, and that meant showing why men decided to do things, and showing what results were due to chance and what to human wisdom and rashness.[37] Moreover, like Tacitus,

[37] Sempronius Asellio in Aulus Gellius, *NA* 5.18.8: "Nobis non modo satis esse video, quod factum esset, id pronuntiare, sed etiam quo consilio quaque ratione gesta essent demonstrare"; Cicero, *De Oratore* 2.53; 63.

they held that the purpose of history was to teach others to recognize and imitate virtuous and prudent conduct (3.65; 4.33.2), that is intentional behaviour, and, as Tacitus says (*Ann.* 4.33.2), the character of those who hold power under the going political system is particularly instructive. So explanation in terms of the motives of the Princeps was natural for Tacitus.

Nor would Tacitus have thought of transferring responsibility for men's conduct to the political system, however much he disliked that system. Although from Polybius on, the Roman Republican constitution had been credited with Rome's success, her failures were ascribed to moral decline.[38] And though Tacitus took an existing state of moral decline for granted (*Hist.* 2.38; *Ann.* 1.4)[39]—the continuation of the one that ended the Republic and made the Principate necessary—he did not believe that it prevented individuals from behaving more or less virtuously or excuse them when they failed to do so. Tacitus thought that Tiberius had at first more or less succeeded in walking the tightrope between the appearance of being first among equals and the reality of absolute power that, for the Emperor, corresponds to the subject's path between *abrupta contumacia* and *deforme obsequium.* It must have been within his power to continue.

For Tacitus then, if a man like Tiberius knew how to act like a good Princeps and ceased to do so, it was plausible to think that he chose, either under new influences or because of desires no longer inhibited, or both, to acquiesce and actively collaborate in the worst features of the political system. Was the artist not entitled, in portraying the Emperor, to sharpen that acquiescence and collaboration into personal initiative and tyrannical innovation? Yet, when we read the *Annals*, we register the historian's resentment of the Principate as well as of the Princeps. And we are not mistaking his message.

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[38] C. Fornara, *The Nature of History in Ancient Greece and Rome* (Berkeley 1983), pp. 83 ff.

[39] Fornara, *Nature of History*, p. 89.

ERICH S. GRUEN

THE "FALL" OF THE SCIPIOS

P. Cornelius Scipio Africanus had a career almost unmatched in glamor and glory. A nearly unbroken record of achievement distinguished him from his compatriots. Scipio wrested Spain from Carthaginian power, whipped Hannibal, and humbled the mightiest of Seleucid rulers, Antiochus III Megas. He had held the highest posts that his countrymen could bestow: twice consul, censor, and *princeps senatus*. None could deny his place as the most celebrated figure of his generation. Yet a cloud hung over Africanus in his last years. Accusations defamed his character and challenged his authority. The *princeps senatus* withdrew from public life and suffered a premature death.

Africanus' brother, L. Cornelius Scipio Asiagenus, had a less spectacular career. But only by comparison with his brother. Lucius had his own distinctions and accomplishments. As consul and commander at the great battle of Magnesia, victor in the Syrian war, he led a triumph in Rome more resplendent and majestic even than that of Africanus. But his career too ended on a sour note. Prosecution for embezzlement and corruption tarnished his esteem. A subsequent effort to attain the censorship failed. And he endured the ignominy of removal from the equestrian order by Cato in that very censorship of 184 to which Lucius had himself unsuccessfully aspired.

The Scipios, so it appears, had a mighty fall. The unseasonable demise of their political fortunes and their untimely departure from the public scene naturally provoke puzzlement. What happened? Why were such dismal finishes written to such splendid careers? The question is entangled in the baffling complexities that constitute the so-called "trials of the Scipios". That subject has prompted a scholarly literature that is intimidatingly vast and alarmingly disordant. To add yet another interpretation to that heap of stale hypotheses might seem folly indeed. But a different approach and a broader canvas can place the matter in a more instructive setting.

Studies on the trials of the Scipios have concentrated attention upon certain selective subjects. They have explored the legal and constitutional aspects of the cases *in extenso.* Or they have analyzed the trials as episodes in the factional struggles between the Scipionic group and their political opponents, whether "Claudians", "Fulvians", or "Catonians." Or they have grappled bravely with the infuriating discrepancies in our evidence, a monumental job of Quellenforschung which strives to isolate the nuggets of fact from over laid distortion, exaggeration, confusion, and invention.[1] Each of these approaches, however, has served to isolate the trials as an individual historical problem, sufficiently challenging and provocative in its own right to require no further justification. The narrowing of focus has blurred the lens.

The events need scrutiny in a larger context. The aftermath of Rome's great victory over Carthage provoked serious strains in attitudes toward institutions and political behavior. Those years featured a pronounced display of Roman power abroad, the influx of staggering amounts of wealth, and a tortured redefinition of the relationship between individual authority and the collective leadership of the state. Controversies mounted in the two decades after the Hannibalic War—controversies over the extent of power wielded by Roman commanders, over the honors to which they could lay claim, and over the privileges they could exercise. The issues at stake went well beyond mere factional struggles. They involved a fundamental readjustment of political conventions to the tensions between personal aspirations and the corporate interests of the ruling class. That constitutes the setting within which the "fall" of the Scipios played itself out.

The institution of the triumph offers an illuminating case in point. Increasing discord surfaced over the rights to a triumph and issued in a series of ultimately unresolvable tangles. The coveted prize was hotly contested, thereby provoking disagree-

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[1] Major studies on the Scipionic trials include T. Mommsen, *Römische Forschungen* (Berlin, 1879), II, 417–510; P. Fraccaro, *Opuscula* (Pavia, 1956), 263–415; H.H. Scullard, *Roman Politics, 220–150 B.C.*[2] (Oxford, 1973), 290–303; G. Bandelli, *Index*, 3 (1972), 304–342; *ibid*, 4 (1974–75), 93–126. For a more recent interpretation, see R.A. Bauman, *Lawyers in Roman Republican Politics* (Munich, 1983), 192–212.

ment and dispute over the proper guidelines governing its award.

M. Claudius Marcellus, the much honored general and hero of the Sicilian campaign, returned to Rome to seek a triumph in 211 B.C.E., fresh from the dramatic recapture of Syracuse. The senate debated his request and then denied it. A troubling formality stood in the way: Marcellus' army remained in Sicily, thus implying that the task was unfinished and the war in that sector still undecided. The *patres* preferred a compromise and authorized an *ovatio*. Marcellus added a private triumph on the Alban Mount to reemphasize his services.[2] The lengthy debate that preceded the decision and divided opinions on the outcome exposed the absence of clear regulations on the matter.

An early stage in Scipio Africanus' meteoric career brought the issue again to public attention. He made petition for a triumph in 206, one richly earned through his successes in Spain. Scipio had effectively expelled Carthaginian influence from the Iberian peninsula, a critical step toward Rome's victory over Hannibal. He delivered a powerful speech in justification of his request, reminding the senators who had gathered in the temple of Bellona of the towns and tribes he had captured and of the fact that not a single Carthaginian was left in the land. The senate, however, was unpersuaded. It rejected Scipio's claim on the technical ground that he was a *privatus*, never elected to any magistracy with *imperium*, and that no one in his situation had ever obtained the privilege of a triumph. Scipio declined to press the matter, avoiding further frustration.[3] The episode once more underlines the problem of incongruity between demonstrable merit and technical ineligibility.

Scipio did, of course, celebrate a triumph later, in 201, after his defeat of Hannibal. No one could deny it to him then. The victory had come after his election to the consulship and prorogation as proconsul. And he had terminated the most prolonged crisis in Rome's history. Once the Hannibalic War had con-

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[2] Livy, 26.21.1–3; Plut. *Marc.* 22; *Vir. Ill.* 45.6. J.S. Richardson, *JRS*, 65 (1975), 54–55, characterizes the senate's professed reason as political pretext. For R. Develin, *Klio*, 60 (1978), 432, it was a sound constitutional decision.

[3] Livy, 28.38.2–4; Val. Max. 2.8.5; Dio, 17.57.6. The tradition preserved in Polyb. 11.33.7 and Appian, *Iber.* 38, that Scipio did celebrate a triumph, is plainly mistaken; see Richardson, *JRS*, 65 (1975), 52.

cluded, however, and Scipio's attainment was on display, the scramble for triumphs accelerated and the restraints upon them became more controversial. The period between the end of the Second Punic War and the trials of the Scipios witnessed recurring debates over the rights and eligibility of *triumphatores*.

L. Cornelius Lentulus applied for a triumph in 200, after six years of distinguished service in Spain. The senate acknowledged that his accomplishments merited the honor, but raised the same technicality that had held against Scipio Africanus: he had exercised command *pro consule*, without having gained election to consular or praetorian office. The *patres* did, however, authorize an *ovatio* for Lentulus, a solution that had not been canvassed for Scipio six years earlier. The discrepancy is revealing. Senatorial opinion shrank from too rapid an elevation of Scipio Africanus. An *ovatio* for the lesser man Lentulus would not have the same political repercussions. A tribune objected even to the *ovatio*, interposing his veto, but backed down in the face of a strong senatorial consensus. His argument for the *mos maiorum* was overriden.[4] The senators could set new precedents to reward achievements when it suited them—especially as a means to balance distinctions within their own ranks.

In the same year of 200 L. Furius Purpureo laid claim to a triumph for victories over the Gauls. A different problem clouded his request. Furius held the rank of praetor, his armies technically under the authority of the consul C. Aurelius Cotta. Further, Furius had stolen a march on Cotta, hastening to Rome and making his bid before the consul could arrive and challenge it. Individual senators, particularly the *consulares*, again voiced complaints about violation of precedent. But a senatorial majority prevailed and endorsed Furius' request. He became the first praetor to enjoy the distinction of a triumph. The subsequent arrival of the consul and his reproaches of the *patres* failed to reverse the decision.[5] The *patres* had once more abandoned precedent in order to reward accomplishment—and perhaps to distribute and disperse honors.

Ad hoc considerations determined the verdicts. Roman senators

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[4] Livy, 31.20.1–7.
[5] Livy, 31.47.6–31.49.3; 31.49.8–11; Dio, 18.57.81.

did not intend to establish uniform regulations. In 195 M. Helvius returned from Spain in circumstances closely parallel to those of Furius Purpureo five years earlier. He had military distinctions to his credit, applied for a triumph, but had the handicap of having earned his laurels under the auspices of a higher ranking official. The senate chose to ignore its own previous decision. Helvius obtained an *ovatio*, but not a triumph.[6]

The *patres* followed no formula. They had prevailed upon a tribune to withdraw his veto in order to permit Lentulus his *ovatio* in 200.[7] But they let another tribunician veto stand in 199, thereby blocking an *ovatio* for L. Manlius Acidinus who had served in a capacity identical to that of Lentulus in Spain.[8] The discrepancy evidently caused no misgivings.

Inconsistency and unpredictability marked these deliberations. The senate awarded a triumph to C. Cornelius Cethegus but refused one to his colleague Q. Minucius Rufus in 197, although both had fought as consuls against the Gauls in northern Italy and Cethegus had himself recommended a joint triumph. Minucius had to settle for a private triumph on the *Mons Albanus*.[9] A comparable situation occurred in the following year when two commanders returned from Spain. One obtained an *ovatio* rather than a triumph, the other declined to seek either, contenting himself with the erection of monuments financed by the Spanish spoils, thus to advertise his exploits to the public. He presumably had no hope in the senate.[10] L. Cornelius Merula's bid for a triumph after campaigns in Gaul in 193 was sabotaged by a letter from one of his officers maintaining that Merula's achievements did not warrant the honor. Merula nonetheless persisted in his petition until two tribunes promised to veto any *senatus consultum* on his behalf. The claimant came away empty.[11] By contrast, the senate overbore a tribunician veto in 191 when they endorsed P. Scipio Nasica's application to celebrate successes in Gaul. This time the material feats outweighed any technicalities.[12]

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6 Livy, 34.10.3–7.
7 Livy, 31.20.6.
8 Livy, 32.7.4.
9 Livy, 33.22–23.
10 Livy, 33.27.1–4.
11 Livy, 35.8.2–9.
12 Livy, 36.39.4–36.40.14.

Battles over military honors became still more frequent and more heated in the years immediately prior to the trials of the Scipios. Q. Minucius Thermus' claims on a triumph after campaigns in Liguria in 190 ran into stiff opposition. M. Cato attacked them sharply in a speech entitled *De Falsis Pugnis*, evidently asserting that Thermus had fabricated victories to justify a triumph.[13] Thermus never got it.[14] Q. Fabius Labeo endured similar criticisms when he sought accolades for his naval operations in Crete during the war on Antiochus. Opponents alleged that, far from earning a triumph, he had not so much as laid eyes on the enemy. Labeo, however, did get his triumph.[15] The *inimici* of M. Fulvius Nobilior organized a major campaign to deny him that distinction in 187, after he had closed out the Aetolian war and captured Ambracia. They even imported Ambraciote representatives to attest to Fulvius' atrocities, to maintain that he had attacked them without provocation, and to charge him with having carried off every art object in the state. They also steered a resolution through a rump senate stating that Ambracia did not appear to have been taken by force—a rebuff to Fulvius' claims on a triumph.[16] Cato reiterated the point in a later speech.[17] The effort, however, failed to achieve its goal. When Fulvius returned to Rome, his arguments or *auctoritas* overcame the opposition. The senate acknowledged his successes in Aetolia and voted his triumph.[18] A still fiercer contest raged in 187 over the record of Cn. Manlius Vulso who had conducted a ruthlessly aggressive campaign against the Galatians. Political adversaries charged him with pursuing an undeclared and unauthorized war, then fighting it in reckless fashion.[19] Hostility to Manlius pervaded the *curia*. But this time precedent was on his side. Supporters,

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[13] Gellius, 10.3.17. The one extant fragment from the speech denounces Thermus for brutal treatment of Roman allies; *ORF*, Cato, fr. 58. Commentary on the fragment in M.T.S. Cugusi, *M. Porci Catonis Orationum Reliquiae* (Turin, 1982), 194–205.

[14] Livy, 37.46.1–2.

[15] Livy, 37.60.5–6, 38.47.5.

[16] Livy, 38.43.1–38.44.6.

[17] *ORF*, Cato, fr. 148: *iam principio quis vidit corona donari quemquam, cum oppidum captum non esset aut castra hostium non incensa essent?* The speech probably belongs to 178; Fraccaro, *Opuscula*, 247–253; Scullard, *Roman Politics*, 266–267.

[18] Livy, 39.4.1–39.5.17.

[19] Livy, 38.44.9–38.46.15.

friends, and relatives pointed out that commanders who decisively defeated the enemy, carried out their assignments, and led back their army were never denied triumphs. The assertion was inaccurate—but true enough to carry the day. The *patres* granted Manlius' request.[20] They shrank from the implications of refusal: a future application by any of them could meet the same fate.

As is clear, debate and controversy over triumphs persisted through this period. Ambitions aroused in the wars intensified them. The senate was apparently groping for ways to control the hunt for martial honors without discouraging the hunt itself—a quest in which every individual *nobilis* had a stake. Nothing is more conspicuous than the absence of any clear pattern. Inconsistency prevailed, fostered by ad hoc decisions and plagued by political rivalries. Some triumphs were awarded on merit, others denied on technicalities, tribunician vetoes were occasionally upheld and occasionally overridden, *ovationes* were substituted for triumphs in certain situations but rejected in others. Competition and dissent forestalled the establishment of any clear guidelines—indeed discouraged even their formulation.[21] Increased opportunities presented themselves for the mighty to become mightier, thereby also generating increased opprobrium. Even well earned and undeniable triumphs could not prevent sniping from the sidelines. L. Scipio Asiagenus himself, victor over Antiochus the Great and conqueror of the Seleucid kingdom, felt their sting. Critics claimed that Asiagenus had encountered no serious resistance in the war: Antiochus was an easy mark; one battle sufficed, at Magnesia; in fact, it was said, the war had really been won a year earlier, at Thermopylae, before the Scipios even went east.[22] Asiagenus obtained his triumph, to be sure, but the cavils indicate that the more compelling the claim on honors, the more urgent the need to reassert the limits on individual ambition. The period exhibited mounting criticism of would-

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20 Livy, 38.50.1–3.

21 The fluidity of these actions undermine any search for patterns, despite the efforts of Richardson, *JRS*, 65 (1975), 50–53, and Develin, *Klio*, 60 (1978), 429–438; *The Practice of Politics at Rome, 336–167 B.C.* (Brussels, 1985), 207–213.

22 Livy, 37.58.7–8: *erant qui fama id maius bellum quam difficultate rei fuisse interpretarentur; uno memorabili proelio debellatum, gloriamque eius victoriae praefloratam ad Thermopylas esse.*

be *triumphatores*, of their motives, methods, and claims. But that criticism also impelled them to articulate more forcefully their justifications for seeking distinctions, thereby augmenting the competition and intensifying the spirited character of discussion. The Roman aristocracy grappled with a formidable challenge: how to achieve a balance between encouraging individual aspirations and establishing the bounds within which those aspirations could operate.

A similar tension existed in a second arena of institutional conflict: the matter of *prorogatio*. Extension of *imperium* lent considerable prestige and authority to the commander. The practice had been rare until the time of the Hannibalic war.[23] But that contest fractured conventional expectations and demanded improvisation. The war saw proliferation of extended commands to a degree hitherto quite unprecedented. The grave and prolonged crisis, the loss of generals on the battlefield, the need to provide continuity through surviving experienced leaders all made prorogation on a large scale inevitable.[24] At the same time, that development ran the risk of whetting the appetites of those who exercised long-term commands and exciting the envy of those who did not.

Scipio Africanus himself supplies the prime exhibit. After his election to the consulship of 205, objections were swiftly raised to the idea of his carrying the war to Africa. Q. Fabius Maximus delivered a lengthy oration against the proposition, affirming that Scipio was chosen to serve the *res publica*, not himself, his armies recruited for the defense of Italy, not to be taken abroad at his whim *regio more*.[25] The speech is a Livian invention, but plausibly recreates the concerns felt at the prospect of a lengthy command for the celebrated general. Scipio, however, held the day and got his authorization to go to Africa.[26] More importantly, that command was renewed for four years thereafter. The

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[23] See Develin, *Latomus*, 34 (1975), 716–721, offering a corrective to W. Jashemski, *The Origins and History of the Proconsular and the Propraetorian Imperium to 27 B.C.* (Rome, 1966), 1–16.

[24] On *prorogatio imperii* during the Hannibalic War, see the data collected by Jashemski, *Origins and History*, 17–39.

[25] Livy, 28.42.22.

[26] On the debate and its outcome, see Livy, 28.40–45; Plut. *Fab.* 25–26; Appian, *Pun.* 6–7; Zon. 9.11.

prorogations, however, proved to be no easy matter. It must be stressed that in each of those years strenuous efforts were made to supersede Scipio, to question his leadership, to deprive him of the chance to beat Hannibal, and then, having failed on those counts, to supplant him before he could gain credit for the post-war settlement.[27] The attempts missed their mark, but some were narrow misses. And they exemplify the tensions produced by the institution of *prorogatio*. Repeated prolongation of Scipio's *imperium* with its accumulated authority proved to be justified by events, but also raised the alarm of excessive power wielded over a lengthening stretch of time by an individual.

The aristocracy showed itself alive to that hazard. It is noteworthy and not coincidental that in the years after the Hannibalic war prorogation of consular commands suddenly became quite rare. The reversal carries clear implications: a reaction to the excesses engendered by that contest with Carthage and an effort to reestablish equilibrium. Consular *imperia* in the post-war period regularly coincided with the consular year and seldom stretched beyond it.

A large exception to this rule stands out: T. Quinctius Flamininus. As consul in 198 he led Roman forces against Philip V and was then prorogued annually through the year 194 to supervise events in Greece. Flamininus succeeded with shrewdness and skill in exploiting political, diplomatic, and military opportunities to present himself as the indispensable man in the East. Yet, like Scipio, Flamininus did not have smooth sailing, a fact easily forgotten and generally ignored. His *prorogationes* were anything but automatic. Flamininus looked over his shoulder every year, nervously anxious about supersession and recall. He despatched friends and envoys to lobby for him in 197; his continuance was no foregone conclusion. The *patres* did, in fact, extend his command in Greece—but the decision stemmed from a Gallic scare that required both consuls to stay in Italy, not from an active wish to prorogue Flamininus.[28] The decree that reappointed him added the significant phrase *donec successor ex senatus consulto venisset*,

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[27] Livy, 29.19.4–6, 30.27.1–5, 30.36.11, 30.40.7–8. 30.40.14–15, 30.44.3; Plut. *Fab.* 26.3–4; Zon. 9.14.

[28] Polyb. 18.11.1–2; cf. 18.12.1; Livy, 32.28.3–9, 32.37.1–6; Plut. *Flam.* 7.2.

a pointed reminder that prorogation remained a senatorial prerogative.[29] In the following year, Flamininus hastily put together a truce with Philip, fearful that a successor would be sent to complete the job and rob him of his laurels.[30] He was right to be worried. M. Claudius Marcellus, consul in 196, denounced peace negotiations as a sham, openly sought Macedonia as a *provincia*, and appeared to have a senatorial majority on his side. Only a tribunician intervention that transferred the whole question to the assembly kept Flamininus at his post in Greece.[31] Prorogation came again for 195 to oversee the war against Nabis of Sparta. But the principal reason for this, if Livy be believed, was that the *patres* did not regard that petty conflict as a matter of any great import.[32] Flamininus obtained one last *prorogatio* for 194. It too, however, came only after he had sweated out the anxiety of being replaced before he could complete the war on Nabis. The proconsul pressed for peace and soon terminated the contest, even risking the ire of his allies, so as to assure that the credit would be his.[33] Hence, even the exception points up the rule. Flamininus' *prorogationes* were repeatedly subject to debate and his position always vulnerable. Senatorial politics, pragmatism, convenience, and, to some extent, indifference allowed him to finish the task uninterrupted. But the *patres* made certain to remind him that final determination lay in their hands.

One other exception deserves notice Q. Minucius Thermus was prorogued in Liguria from 193 to 190. He evidently wielded unusual influence in the *curia*, or else persuaded his colleagues of the need for continuity in contesting the Ligurians. Extension of his command, however, could breed reaction in the long term. It is significant that Thermus' petition for a triumph upon his return was peremptorily denied by the senate.[34] That rejection looks very much like a deliberate compensation to reaffirm collective restraint upon individual privilege.

[29] Livy, 32.28.9.
[30] Polyb. 18.39.4.
[31] Polyb. 18.42.3–4; Livy, 33.24.7, 33.25.5–8, 33.25.11.
[32] Livy, 33.45.4: *non ita magni momenti.*
[33] Livy, 34.33–41; Plut. *Flam.* 13.1. See especially, Livy, 34.33.14: *illa tacita suberat cura, ne novus consul Graeciam provinciam sortiretur et inchoata belli victoria successori tradenda esset.*
[34] Livy, 37.46.1–2.

Standard practice during these years maintained a pattern of strict one year commands. The Scipios themselves fell under the restriction. L. Scipio, accompanied by his more illustrious brother as legate, had full charge of the war against Antiochus during his consulship of 190, a year that culminated in the decisive battle of Magnesia. Yet L. Scipio enjoyed no *prorogatio*. Neither considerations of continuity nor rewards for accomplishment moved the *patres*. Aetolia and Asia were allotted to the new consuls of 189, M. Fulvius Nobilior and A. Manlius Vulso.[35] That decision represents conspicuous reiteration of the customary pattern. No concession would be made to the repute of the Scipios. If anything, the reverse held. L. Scipio Asiagenus made haste to send messengers to Rome with an announcement of victory of Magnesia, hoping thereby that the senate would permit him, like Flamininus, to cap his military success by presiding over the settlement. The message arrived, but the *patres* made no change in previous arrangements: the new consuls would take over and the Scipios would come home.[36] It is inadequate to characterize that decision simply as a political move by the *inimici* of the Scipionic faction.[37] More was at stake. The senate delivered notice to the Scipios that their reputation would not override the claims of others for a share of distinction. Nor would it supersede the aristocracy's collective responsibility to carry out foreign policy.

That lesson came home the more forcefully in the following year. The two consuls for 189 had larger ambitions than merely to conduct peace parleys. Manlius Vulso provoked a war with the Galatians and drove them ruthlessly to submission; Fulvius Nobilior stamped out the last resistance in Greece and then delivered demands for Aetolian surrender.[38] By the end of the year 189 there was little left to do. Yet Manlius and Fulvius got the prorogation for 188 that had been denied to L. Scipio the year before—when a better case might have been made out for it.[39] Politics and policy combined to dictate the decision. The senate reasserted its authority to determine the limits of individual aspiration.

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[35] Livy, 37.50.1–8.
[36] Livy, 37.51.8–10, 37.55.4–7.
[37] As Scullard, *Roman Politics*, 133–137.
[38] Sources collected in Broughton, *MRR*, 1, 360.
[39] Livy, 38.35.1–3.

Among the aggrieved victims of the *patres'* verdict were the two consuls of 188. They had anticipated operation of normal procedures, i.e. annual command, and had expected allotment of the eastern provinces to themselves.[40] Instead, the proconsuls stayed abroad another year—and then took their time in coming home. The disappointment of expectation drew the fire of M. Aemilius Lepidus, consul for 187. Lepidus vehemently protested the situation. He and his fellow-consul had been assigned unglamorous posts in Liguria while Fulvius and Manlius still nominally held charge of all the East. If there was still important work to be done in Greece and Asia, so he urged, the consuls should do it. If not, the promagistrates should be recalled forthwith. Annual commands, Lepidus argued with some justice (and self-interest), had been the rule and should continue to be so. The *patres* recognized the force of that claim. They made no change in the provincial assignments: Lepidus would have to be content with Liguria. But they terminated the command of the proconsuls, disbanded their armies, and ordered them home.[41] Having delivered a lesson to the Scipios in the previous year, the senate now reverted to the principle of annual commands, a means to distribute rewards more widely and to assign distinctions more equitably. In this area too the competition for honors created tension between individual expectations and collective responsibility.

A third development demands notice here as background to the trials of the Scipios. Victorious commanders had at their disposal extraordinary amounts of cash and spoils in the early years of the 2nd century B.C.E. The lucrative contests of the East made possible the lavish displays that marked the period. As so often, Scipio Africanus set the pattern. After the close of the Carthaginian war he deposited 123,000 pounds weight of silver into the Roman treasury and distributed 400 asses each to his soldiery.[42] Escalation proceeded from that point. Cato's victories in Spain netted 25,000 pounds of silver bullion, 123,000 silver *bigati*, 540,000 Oscan silver coins, and 1400 pounds of

[40] Livy, 38.35.7–8.
[41] Livy, 38.42.8–13; cf. 38.46.14.
[42] Livy, 30.45.3.

gold. His soldiers got 270 asses each, and the cavalrymen twice that amount.[43] More spectacular still was the triumph of Flamininus in 194, which put on show 18,270 pounds of silver, 84,000 tetradrachms, 3714 pounds of gold, 14,514 gold coins, plus countless art objects. He distributed 250 asses to each infantryman, 500 to centurions, and 750 to *equites*.[44] The victors vied with each other, and repeatedly increased the stakes. L. Scipio's triumph in 189 attained new heights of extravagance: 137,420 pounds of silver, 224,000 tetradrachms, 321,700 cistophori, 140,000 gold coins, 1423 pounds of engraved silver vases, 1023 pounds of gold vases—not to mention 234 gold crowns, 1231 ivory tusks, and 134 models of towns. Soldiers were no longer paid in bronze, but in silver: 25 *denarii* to each *miles*, 50 to centurions, 75 to horsemen.[45] These were staggering sums—and recorded in loving detail. The parade of captured spoil augmented the prestige of the *triumphator*, and the allocation of cash reinforced his influence. Inevitably, however, the practice provoked challenge and reaction.

Longstanding tradition in Rome gave generals the right to dispose of booty as they saw fit.[46] No legislation or decree had abrogated that right. Roman aristocrats knew the advantages that it brought and had no intention of depriving themselves of those advantages. But the early 2nd century put new strains on that convention. The vast amounts gathered as spoils demanded consideration of means to effect restraint.

The issue arose directly in connection with the triumph of M'. Acilius Glabrio, victor at Thermopylae in the Antiochene war. Shortly after his triumph in 189 two tribunes lodged an accusation against him, alleging that part of the booty and money seized in Antiochus' camp had failed to turn up in the procession and had not found its way into the treasury.[47] Cato characteristically emerged as witness for the prosecution, testifying that he had seen gold and silver vessels among the captured loot

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[43] Livy, 34.46.2–3.

[44] Livy, 34.52.4–11; Plut. *Flam.* 14.

[45] Livy, 37.59.3–6.

[46] See I. Shatzman, *Historia*, 21 (1972), 177–205, with reference to earlier literature. His treatment supersedes the extended study of F. Bona, *SDHI*, 26 (1960), 105–175.

[47] Livy, 37.57.12: *quod pecuniae regiae praedaeque aliquantum captae in Antiochi castris neque in triumpho tulisset, neque in aerarium rettulisset.*

which had never appeared in the triumph.[48] The precise legal charge against Glabrio is unspecified. Nothing suggests that the accuser could point to statutory limits upon the general's authority to dispose of booty. Nor do factional considerations adequately account for the motives of the accusers. The trial carried larger implications. By shining the glare of publicity upon Glabrio and embarrassing him through allegation that he had appropriated booty for personal use, the instigator of the trial could move toward some moral, if not legal, restrictions upon commanders' powers in the distribution of spoils.[49]

The trial itself came to naught. The tribunes who brought the prosecution dropped their charges once Glabrio abandoned his candidacy for the censorship.[50] Nor did any obvious result issue from a comparable attack on Cn. Manlius Vulso in 187. His accusers maintained that Manlius had extorted moneys from various kings and peoples of Asia.[51] That case too seems to have dissolved without issue: the sources have nothing further to say. Certainly no clear-cut guidelines emerged from the smoke of these battles. Posturing rather than substance prevailed. The contests spawned considerable debate and little resolution. But the debate itself held meaning. The issue of financial accountability by military leaders had now come more dramatically to public attention. And Rome's aristocracy was beginning to grapple with the consequences of conquest.

The words and actions of Cato the Elder give access to the heated character of public discussion. Cato's oration, *De Pecuniis Regis Antiochi*, survives in title only, with no extant fragments.[52] But the title reveals the purpose: to challenge the use or misuse of funds obtained in the Antiochene war. Another Catonian

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[48] Livy, 37.57.13–14: *is testis, quae vasa aurea atque argentea castris captis inter aliam praedam regiam vidisset, ea se in triumpho negabat vidisse.*

[49] Shatzman, *Historia*, 21 (1972), 191–192, misses the broader meaning and suggests that prosecutors wanted only to have Glabrio submit a report of the distribution. So also A.E. Astin, *Cato the Censor* (Oxford, 1978), 63. Most studies view the prosecution primarily as an attack on a Scipionic adherent; Mommsen, *Römische Forschungen*, 459–461; Fraccaro, *Opuscula*, 364–371; Scullard, *Roman Politics*, 137–138.

[50] Livy, 37.57.15–37.38.1.

[51] Livy, 38.54.7.

[52] Livy, 38.54.11.

speech, of uncertain date and context, addressed a similar matter. The heading, "that booty be brought to public account," exposes Cato's stance clearly enough. The one surviving fragment castigates those who adorn their private dwellings with statues seized in plunder.[53] Cato—and doubtless not he alone—probed for means to curtail the authority of commanders over the spoils of war. On a different occasion the Censor made proud boast of never assigning booty for the profit of his friends—in evident contrast to standard practice, or at least his characterization of it. The address censured allocation of loot to private parties, not to soldiers who, he implied, deserved it.[54] But another Catonian oration directed itself to the latter practice as well, so its title announces: *De Praeda Militibus Dividenda*. A memorable fragment of that work observes that those who steal private property lead out their lives in chains and imprisonment, those who take public funds luxuriate in gold and purple.[55] So Cato, it appears, was prepared to advocate restrictions even upon commanders' prerogatives in assigning the fruits of plunder to their troops.

The foregoing furnish the essential ingredients for the background to the Scipionic trials. Contentions mounted in the early 2nd century over the merits of *triumphatores*, the hazards involved in *prorogationes*, the diversion of public funds to private use, and the appropriation of the prizes of war. The senate's action on such matters were piecemeal and unsystematic. But they represent steps, however fumbling, toward defining the boundaries of individual privileges without closing the avenues to traditional distinctions. The rewards available were now much higher, the potential power much greater in the years that followed the Hannibalic war. Those very developments stimulated a marked counter-thrust: the attempts to find some vehicles whereby to limit access to tri-

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[53] *ORF*, Cato, fr. 98: *miror audere atque religionem non tenere, statuas deorum, exempla earum facierum, signa domi pro supellectile statuere.* The speech is often assigned to Cato's censorship, but without good reason. Discussion and bibliography in Cugusi, *Catonis Orationum Reliquiae*, 248–251.

[54] *ORF*, Cato, fr. 203: *numquam ego praedam neque quod de hostibus captum esset neque manubias inter pauculos amicos meos divisi ut illis eriperem, qui cepissent.* Cf. Cugusi, *op. cit.*, 406–412.

[55] *ORF*, Cato, fr. 224: *fures privatorum furtorum in nervo atque in compedibus aetatem agunt, fures publici in auro atque in purpura.* Cf. Cugusi, *op. cit.*, 425–428.

umphs, curb prorogation, and control the commander's free disposition of the profits of plunder. Such tensions supply the proper context within which to understand the trials of the Scipios.

Debates over the trials have filled the pages of learned books and journals for well over a century. They constitute one of the most complex and perplexing problems in Roman Republican history. It is unnecessary here to rehearse all the disputes, or to offer solutions for every issue of controversy. No reconstruction can reconcile all the conflicting testimony. Too much ink has already been spilled on guesses about the sources of our sources, the legal bases of the prosecutions, and the political factions that might have been lined up on either side. It will be more profitable to sort out what transpired in the most economical fashion, in order to ascertain the broader implications.

First, the trial of L. Scipio Asiagenus. It needs to be stressed at the outset that this case cannot be comprehended simply as a political thrust against the Scipionic party. Whatever the precise charges against Asiagenus, we know that they involved moneys captured or extorted from Antiochus the Great and from states under his dominion.[56] But it was not Asiagenus alone who came under fire on this count. Cn. Manlius Vulso who succeeded him in Asia and brought about the final settlement with Antiochus was caught in this same wave of accusations and indeed expected to be arraigned in the same tribunal.[57] The sums reportedly at stake in the hearings confirm the association. Polybius gives a figure of 3000 talents.[58] Now we happen to know that Antiochus turned over only 500 talents to L. Scipio as down payment on his indemnity.[59] Manlius, however, collected 2500 talents in 188 at the time of the Peace of Apamea.[60] The investigation evidently sought an accounting of all the cash appropriated from Antiochus, by both Manlius and the Scipios.[61] The

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[56] Livy, 38.54.3: *quae pecunia capta ablata coacta ab rege Antiocho est quique sub imperio eius fuerunt*; 38.55.5–8; Gellius, 6.19.8; Zon. 9.20; Val. Max. 5.3.26; 8.1.damn. 1.

[57] Livy, 38.54.7, 39.6.3–5.

[58] Polyb. 23.14.9

[59] Polyb. 21.17.5.

[60] Polyb. 21.41.8.

[61] So, rightly, D. Kienast, *Cato der Zensor* (Heidelberg, 1954), 57–67. The objections of Bauman, *Lawyers*, 196–197, n. 315, are weak and unpersuasive.

latter, as far the more notorious and conspicuous personages, naturally hold the center of attention in our sources, thus all but obscuring the involvement of Manlius. We know nothing whatever about the details of his case. But the connection is vital and revealing. The fact that both Manlius and L. Scipio came under accusation takes this affair outside the realm of mere factional politics. Larger matters were here at issue: the prerogatives of commanders to dispose of profits garnered in foreign wars.

The legal category under which L. Scipio was charged remains obscure. Whether the rubric was *peculatus*, *pecunia capta*, or some other designation matters little. Some have held that Asiagenus could not have been cited for distribution of loot, since commanders had free rein in that regard.[62] But such analysis misses the main point. It was precisely free rein of that sort which had now come under challenge. The effort to define the limits of generals' authority supplies a close parallel to issues recently raised in the trial of M'. Acilius Glabrio. The evidence of Aulus Gellius, drawn from Nepos, makes the matter clear: accusers demanded an accounting both of *pecunia Antiochina* and of *praeda*.[63] We do know that the cash exacted from Antiochus by L. Scipio, 500 talents, intended as first installment on the king's indemnity, in fact went to provide double pay to Scipio's troops.[64] At the very least, the *imperator* was playing fast and loose with cash that ought to have been destined for the treasury. And one might note that Manlius Vulso also used the opportunity to give double pay as a bonus to his soldiers.[65] Some effort to set bounds to this type of activity before it got out of hand seemed imperative.

Much scholarly discussion has labored over the question of what body heard the case of L. Scipio. Valerius Antias, as reproduced by Livy, gave a lengthy and detailed narrative, according to which a motion by the tribunes Petillii, prodded by

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[62] Shatzman, *Historia*, 21 (1972), 192–194.

[63] Gellius, 4.18.7–8: *desiderabant in senatu instantissime ut pecuniae Antiochinae praedaeque in eo bello captae rationem redderet.* Shatzman, *Historia*, 21 (1972), 193, endeavors unsuccessfully to discard this testimony. Ample evidence affirms that the investigation included both payments made by Antiochus and moneys captured from him; Livy, 38.54.3, 38.55.5–8; Gellius, 6.19.8; Val. Max. 5.3.2c; 8.1.damn. 1; Dio, fr. 63; Zon. 9.20.

[64] Livy, 37.59.6.

[65] Livy, 39.7.2.

Cato, authorized a special tribunal to be set up by the senate. After debate by the *patres*, such a *quaestio* was installed under the presidency of a praetor, Q. Terentius Culleo, which then proceeded to hear charges and to convict Asiagenus, a legate, and a quaestor.[66] A very different version, however, derived from Nepos and is preserved by Gellius. In that account, a tribune, C. Minucius Augurinus, brought an indictment before the assembly and imposed a fine upon L. Scipio.[67] Gellius knew Antias' narrative and explicitly criticized it.[68] Which to believe? The first version has been rejected on grounds that the *quaestio* is really a late Republican phenomenon, wrongly imported here, a characteristic blunder by the incompetent Valerius Antias.[69] And the texts have been reconciled by postulating two separate arraignments, heard before two separate bodies, and in two separate years.[70] Such paring and slicing is strained and artificial. A *quaestio extraordinaria* took action against the Bacchanalian adherents in the year 186, hence at this very time.[71] The multiplication of trials adds unnecessary complexity to what is already too complex a tangle. A more economical solution seems preferable. One can suppose that the Petillii initiated proceedings for a *quaestio* in which Minucius then served as prosecutor. Or else, and perhaps more likely, the *quaestio* delivered a conviction, after which Minucius proposed a fine to the assembly. No need to proliferate the prosecutions.

The sequel is enveloped in drama and fable.[72] L. Scipio suffered conviction and faced a heavy fine. The proud aristocrat stubbornly

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[66] Livy, 38.54.1–38.55.7.

[67] Gellius, 6.18.11–6.19.7.

[68] Gellius, 6.19.8.

[69] Mommsen, *Römische Forschungen*, 444–446, 496–498; R.M. Haywood, *Studies on Scipio Africanus* (Westport, 1933), 92. Mommsen's view, *op. cit.*, 493–499, that Antias freely invented, suppressed, and falsified evidence to produce this version, is extreme and arbitrary. Similar views expressed by Fraccaro, *Opuscula*, 301–322, 409–415; Scullard, *Roman Politics*, 294; Bandelli, *Index*, 3 (1972), 311–312. Livy himself has a higher opinion of Antias' account; see T.J. Luce, *Livy: The Composition of his History* (Princeton, 1977), 92–104; cf. R. Adam, *REL*, 58 (1980), 90–99.

[70] Haywood, *Studies*, 93–101; Bauman, *Lawyers*, 208–212.

[71] Livy, 39.14.3–10, 39.18.2–7. Bauman, *Lawyers*, 199–212, rightly accepts the idea of a *quaestio extraordinaria* set up in 187, but inexplicably postpones its conclusion to 184.

[72] Livy, 38.58–60; Gellius, 6.19.2–8; Plut. *Cato*, 15.2; Dio, fr. 63; Zon. 9.20.

refused to pay, asserting that he had no public property in his possession—and precious little private property. The college of tribunes to a man—with one exception—approved the praetor's decision to haul the recalcitrant convict off to prison. And intervention by Lucius' more illustrious brother Publius proved to be fruitless. One version of the tale even has Publius burst in at the last moment, fresh from a stint in Etruria, and arrive just as Lucius is being dragged off to jail.[73] Valerius Antias' account substitutes Scipio Nasica for Scipio Africanus because he had erroneously placed Africanus' death prior to the trial of L. Scipio. The divergences are vexatious but comparatively minor. The sources are unanimous on the final dénouement. One tribune steps in, defies his colleagues, and refuses to permit L. Scipio Asiagenus, hero of Magnesia, to be sent off ignominiously for incarceration. Lucius thereby secured release. The tribune who came to the rescue was Ti. Sempronius Gracchus, father of the Gracchi brothers, and well known as a political foe of the Scipios. His actions therefore exemplified the creed of the *nobiles*: the interests of the *res publica* outweighed personal or political predilections.

The outcome was suitably stirring, and the details correspondingly suspicious. It does not follow, however, that all is creative fiction. Nine tribunes united in sanctioning Asiagenus' imprisonment. Only one resisted—and that one an acknowledged *inimicus* of the Scipionic family. The scenario is, in fact, plausible. It smacks of a staged event. Gracchus made a point of insisting that his political animosity toward the Scipios had not abated, but that it would be unseemly for the nation to put a Scipio behind bars.[74] In short, he called conspicuous attention to the fact that it was not the man but the principle that counted. Roman aristocrats had determined that some control on the fiscal authority of *imperatores* had to be exercised, even if the

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[73] Livy, 38.56.8–9. This version is generally rejected as a dramatic invention; Fraccaro, *Opuscula*, 325–328; Scullard, *Roman Politics*, 296–297; Bandelli, *Index*, 3 (1972), 318. It was accepted by Mommsen, *Römische Forschungen*, 469–473, and by Bauman, *Lawyers*, 197–198.

[74] Livy, 38.53.6, 38.57.3–4; Cic. *De Prov. Cons.* 18; *Vir. Ill.* 53.2, 57.1; Val. Max. 4.1.8; Gellius, 6.19.6–7; Dio. 65.1. The romantic and dubious tale of Gracchus' engagement to the daughter of Africanus is sometimes coupled with but does not discredit the fact of his intervention to prevent Asiaticus' imprisonment. On the tale, see Bandelli, *Index*, 2 (1972), 319–325, with references.

Scipios suffered political damage—indeed especially if the Scipios suffered political damage. The *invidia* of the Scipios receives mention more than once in the texts on this episode.[75] So also did their *superbia*, their *potestas*, and their *regnum in senatu*.[76] If their authority in this sphere were to be publicly checked, the point could be driven home most emphatically. Once the general principle had been enunciated, the individual defendant could be released, as indeed he was—and with a flourish—by Ti. Gracchus.

A chronological question needs to be cleared away. When did the trial of L. Scipio take place? Valerius Antias put it after the death of Scipio Africanus.[77] And Africanus died in 184 or 183.[78] That is plain confusion. Antias himself set the trial in 187, a date that has compelling claims on authenticity. Three of the magistrates named by Antias as participants in these events are separately attested as holding office in 187: namely the praetors Ser. Sulpicius Galba and Q. Terentius Culleo, and the tribune Ti. Sempronius Gracchus.[79] That year also represents a logical time to raise questions about the appropriation or misappropriation of funds connected with the Antiochene war which had ended in the previous year. And the conclusion seems clinched by the close association of the cases of L. Scipio and Cn. Manlius Vulso, the latter of whom returned from abroad in 187.[80] An explanation suggests itself for Antias' confusion: the structure of his narrative which gave in sequence the trial of P. Scipio, his retirement to Liternum, and then the trial of L. Scipio. No reason exists, nor any testimony, to question the date of 187.[81]

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[75] Livy, 38.51.4, 38.54.10, 38.59.7, 38.60.10; Val. Max. 8.1.damn.1.

[76] Livy, 38.50.8, 38.51.3, 38.52.4, 38.54.6.

[77] Livy, 38.54.1–2; Gellius, 6.19.8.

[78] Polyb. 23.12–14; Livy, 39.50.10–11; 39.52.1–9; Cic. *De Sen.* 19.

[79] Galba: Livy, 38.44.9, 39.5.6; Culleo: Livy, 39.3.4–6; Gracchus: Livy, 39.5.1–6.

[80] See above, pp. 74–75.

[81] It is hardly likely that Antias simply conjectured the date of 187 and slipped in magistrates whom he knew to have held office in that year. If so, he gratuitously created difficulties for himself by fastening upon Culleo as presiding praetor, a man whose political sympathies baffled the historian; Livy, 38.55.2–4. The case for 184 rests on nothing but conjectures about a hypothetical postponement and revival of the indictment; as in Haywood, *Studies*, 93–101; Bauman, *Lawyers*, 208–212. Mommsen, *Römische Forschungen*, 470, 481, declared for 184 without argument.

L. Scipio was the formal target of the prosecution, but his brother Africanus' potent presence hovered over the proceedings. Indeed, the most celebrated episode in the affair involved Africanus directly. A senator demanded in the *curia* that Scipio produce records of the transactions in which he engaged with Antiochus and that he account for the moneys received prior to the peace as pay for the army. Africanus replied with indignation and aristocratic hauteur: he owed the state no reckoning.[82] He then obtained the account books from his brother, waved them before the stunned senators, and ripped them to shreds. His detractors, so he sneered, could look for their information among the fragments. And he wondered aloud how the senate could quibble about 3000 talents when he, the conqueror of Spain, Africa, and Asia, had brought 15,000 talents into the state coffers.[83] The dazzling rhetorical display cowed his colleagues into silence. But it hardly constituted a response to the inquiry. Scipio's histrionics plainly aimed at making a forceful show of righteous indignation. As he recognized, the accusations addressed themselves more to general principle than to a particular offense. Some curbs might indeed be imposed upon an *imperator*'s control of cash obtained in war. But P. Scipio Africanus would not serve as guinea pig in defining those limits. His *dignitas* impelled him to a powerful statement underscoring the extraordinary services which he had performed for the state and which had elevated him beyond debates that proposed to establish standard procedures. Not that Africanus denied the *patres* any right to oversee the prerogatives of *imperatores* in the disposal of spoils. He simply denied them the opportunity to use him as test case.

Where does this particular incident belong? Polybius presents it as one of several anecdotes illustrating Scipio's character, without context or circumstances. But it was certainly no isolated event, a challenge out of the blue to the record of Scipio Africanus. The incident finds its proper place as part of the proceedings against L. Scipio Asiagenus. As consul and *imperator* in the Antiochene war, Asiagenus was the responsible official under

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[82] Polyb. 23.14.6–7: οὐ δεῖν δ' αὐτὸν ὑποσχεῖν οὐδενὶ λόγον.

[83] Polyb. 23.14.8–11; Gellius, 4.18.7–12; Livy, 38.55.10–13; Val. Max. 3.7.1d; Diod. 29.21.

attack. But Africanus, legate to his brother and most prominent member of the clan, had an integral connection with all the reports that emerged from the aftermath of the war. Even Polybius' account implicitly acknowledges the connection by having P. Scipio retrieve the relevant documents from his brother.[84] The narrative of Nepos, as transmitted by A. Gellius, makes the association equally clear. He reports Africanus' dramatic gesture as a response to charges brought by the Petillii and spurred by Cato.[85] That coincides, of course, with Valerius Antias' information on the instigators of L. Scipio's trial.[86] Valerius Maximus supplies the most explicit version: he puts Africanus' outburst squarely in the context of accusations levelled against Asiagenus.[87] The episode is part and parcel of the attack on Lucius, separated out only later to be included among anecdotes about Publius. An appropriate occasion would have been the senatorial session that considered the installation of a *quaestio* against Asiagenus.[88]

Next, the most problematical case in this welter of events: the trial of P. Scipio Africanus himself. On this matter our evidence is still more confused and entangled, prompting a plethora of tales. The illustrious personality naturally exercised a fascination and dominates the tradition. Only the main points need to be rehearsed here.

Valerius Antias presents a familiar story, rather too suspiciously familiar.[89] According to his narrative, two tribunes, both named Q. Petillius, at the prompting of Cato, brought a range of allegations against Africanus. They included luxurious self-indulgence at Syracuse, disturbances caused by his appointee at Locri, bribery at the hands of Antiochus, and his generally arrogant and autocratic bearing.[90] Scipio replied with a magnificent speech, detailing his services to the *res publica* and concluding with a

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[84] Polyb. 23.14.8. On the cobbling together of the anecdotes in Polybius, see Fraccaro, *Opuscula*, 268–273.

[85] Gellius, 4.18.7–12.

[86] Livy, 38.54.1–4.

[87] Val. Max. 3.7.1d.

[88] The Petillii were active in assailing both Scipios in that session; Livy, 38.54.4–6. The notice fits with Gellius' account of the Africanus anecdote; 4.18.7. Cf. Fraccaro, *Opuscula*, 372–375. Scullard, *Roman Politics*, 291–293, implausibly sees it as an altogether separate incident.

[89] Livy, 38.50.4–38.53.8.

[90] Livy, 38.51.1–4.

climactic flourish when he observed that the day was the anniversary of the battle of Zama. Surely, he declared, there could be no trials or public business on the anniversary of Zama.[91] Scipio then transformed the prosecution into a celebration. He marched at the head of the assembled throng to the Capitol where he performed sacrifice to Jupiter Maximus and the other gods, amidst thunderous applause—and no one seemed to give another thought to the trial.[92] That would appear to be the climax of the story. But Antias tacks on an appendage. He has Scipio retire to Liternum, with no intention of responding to an indictment. The prosecutors, however, revived the case and refused to accept Publius' plea of illness as conveyed by his brother Lucius. Proceedings were cancelled only when a tribune intervened, none other than Ti. Gracchus, who rebuked his colleagues and proclaimed that he would not permit Scipio Africanus, the state's preeminent benefactor, to be put on trial. The senate duly cheered Gracchus' selfless act, the Petillii were roundly criticized, and all charges against Africanus were dropped.[93]

The narrative generates little confidence. Doublets abound: the same prosecutors and the same instigator as in the trial of Asiaticus; a similar stonewalling by Africanus; and the same final issue brought about by Ti. Gracchus. At the very least one can discard the story of Gracchus' intervention as sheer duplication. No other source gives it, and the whole segment hangs as a dubious appendage to the main narrative.

That does not, however, authorize wholesale dismissal of Antias' tale. Independent sources corroborate a number of elements in it. Three other texts name the Petillii as prosecutors, with Cato behind them.[94] Scipio's defiant response stands on record elsewhere, as does the breakup of the assembly when he marched off to sacrifice on the anniversary of Zama.[95] Polybius provides the most sober account. He notes only that a trial was attempted before the assembly and that Scipio replied brusquely, insisting that no accuser deserves to be heard: all owe their very freedom

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91 Livy, 38.50.10–12, 38.51.6–8.
92 Livy, 38.51.8–14.
93 Livy, 38.52.1–38.53.8.
94 Plut. *Cato*, 15.1; Val. Max. 3.7.1e; *Vir. Ill.* 49.17.
95 Gellius, 4.18.3–5; Val. Max. 3.7.1e; Appian, *Syr.* 40; *Vir. Ill.* 49.17.

of speech to his rescue of the *res publica*. The assembly thereupon dissolved, leaving the luckless prosecutor alone.[96]

Some foundation therefore does exist for the story of P. Scipio's indictment. But what exactly does it amount to? Can one, for example, specify the charge that was filed against P. Scipio? On this the sources are hopelessly befuddled and inconsistent. Valerius Antias reports a miscellany of accusations, including *pecuniae captae* and private negotiations between Africanus and Antiochus designed to redeem the former's son, a captive in Antiochus' camp, evidently with promises of lenient treatment for the king. But the accusers also raked up a number of old and outmoded charges of supposed misbehavior related to Africanus' command in the Second Punic War.[97] Other texts mention allegations of bribery by Antiochus to obtain a favorable settlement, of *repetundae*, and of treason.[98] Confusion and incongruities in the testimony are themselves revealing. They may suggest that accusers simply threw in every damaging item they could discover in addition to the formal charge, as so often in trials with a political connotation. Or, indeed, they pose an intriguing alternative: that there was no formal charge at all.

The matter of chronology must now be confronted. A strong scholarly consensus places the trial of Scipio Africanus in 184. That placement would divorce it quite sharply from the prosecution of Asiagenus and from Africanus' own involvement in his brother's case. The date holds great attraction for it brings the trial in close proximity to the censorial elections for 184, thereby supplying a motive for Cato and his friends to discredit the Scipios, to sabotage Asiagenus' campaign for the censorship, and to enhance the candidacy of Cato himself. The reconstruction would reinforce an interpretation that ascribes the affair to factional politics.[99] But what is the evidence for that date?

Two separate traditions existed on the identity of Africanus' accuser. One appears in Valerius Antias, as already noted, and gives the Petillii as prosecutors, the same men who supposedly

[96] Polyb. 23.14.2–3; Diod. 29.21.
[97] Livy, 38.51.1–2.
[98] Gellius, 4.18.3; Appian, *Syr.* 40; Zon. 9.20; *Vir. Ill.* 49.17.
[99] Fraccaro, *Opuscula*, 380–381; Scullard, *Roman Politics*, 150–152.

arraigned Asiaticus in 187.[100] The other, also known to Livy, presents the name of the accuser as M. Naevius.[101] Naevius, as Livy discovered, was recorded in the official register as tribune for the year 184.[102] This version also occurs in Aulus Gellius, possibly but by no means certainly, drawn from Nepos.[103] Polybius unfortunately supplies no names. Valerius Maximus transmits both traditions, noting that separate strands report the Petillii and Naevius, but offers no grounds for choice.[104]

Why prefer the date of 184? Conjunction with the censorial campaign is inadequate reason. A narrow political construction does not do justice to the broader issues under scrutiny in these years. None of the sources links Scipio's trial with a contest for the censorship. Scipio was not himself a candidate for that post in any case. Attacks on his actions that occurred anywhere from six to twenty years earlier would hardly damage his brother's censorial ambitions. The case for 184 rests on the accuser M. Naevius. Livy supplies the basis for belief in his role: he had seen a speech of Scipio Africanus directed against M. Naevius, tribune of the *plebs*.[105] This is evidently the same speech known to Aulus Gellius who summarizes it and also gives Naevius as Scipio's accuser.[106]

The testimony is flimsy and dubious. Livy has to admit that Naevius himself is nowhere named in the speech. He appears only on the *index*, i.e. the title, presumably the tag affixed to the papyrus roll in order to shelve or catalogue it.[107] That label could have been attached at any time. Further, Livy has his own doubts about the authenticity of the oration.[108] Gellius too

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[100] Livy, 38.50.4–5, 38.54.1–2. The Petillii are named also in *Vir. Ill.* 49.17; Plut. *Cato*, 15.1–2; and Val. Max. 3.7.1e. Appian, *Syr.* 40, says that two tribunes accused Scipio.

[101] Livy, 38.56.2.

[102] Livy, 39.52.3–4: *hic Naevius in magistratuum libris est tribunus plebis P. Claudio L. Porcio consulibus.*

[103] Gellius, 4.18.3.

[104] Val. Max. 3.7.1e: *diem illi ad populum M. Naevius tr.pl. aut, ut quidam memorant, duo Petilii dixerant.*

[105] Livy, 38.56.6, 39.52.3: *tribunus plebis M. Naevius, adversus quem oratio inscripta P. Africani est.*

[106] Gellius, 4.18.3.

[107] Livy, 38.56.6: *index orationis P. Scipionis nomen M. Naevii tribuni plebis habet, ipsa oratio sine nomine est accusatoris.*

[108] Livy, 38.56.5: *orationes quoque, si modo ipsorum sunt quae feruntur, P. Scipionis et Ti. Gracchi.*

admits that there are those who question the speech's genuineness.[109] They had good reason for skepticism. Cicero tells us explicitly that no written work of any kind ascribable to Scipio Africanus survived to his day.[110] If that be not enough, we can return to our earliest source, Polybius. The historian declares that when Africanus was lambasted with various charges he made no reply except to remind Romans that his accusers owed their freedom of speech to him.[111] Obviously Scipio did not deliver an extended oration that was subsequently published.

Scholars have occasionally acknowledged the shakiness of the alleged speech as a basis for argument. What has not been acknowledged is the consequence of that concession. If the speech is rejected as an invention, the only evidence for Naevius as a prosecutor disappears—and with it the only ground for fixing 184 as the year of the trial. From the standpoint of methodology, it is most dubious to rest the entire case on so fragile and tainted a piece of evidence and to reject, in effect, all the rest of our testimony. The thesis becomes still more questionable when one considers that the idea of a three year gap between the trials of the Scipios on charges arising out of the same events is itself inherently implausible. Certainly Africanus had done nothing in the interim to justify a renewal of the old allegations.

How then to explain the origin of the story that M. Naevius, tribune 184, was the prosecutor of Scipio Africanus? No obvious answer suggests itself. One might, however, revert to an old theory now long out of fashion: that confusion exists between the tribune and the poet M. Naevius.[112] Evidence survives to indicate repartee between the poet and the *imperator*. Cicero quotes a quip of Africanus as an example of punning: *quid hoc Naevio ignavius*.[113] And Aulus Gellius preserves four lines of Naevius

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[109] Gellius, 4.18.6.

[110] Cic. *De Off.* 3.4: *nulla enim eius ingenii monumenta mandata litteris, nullum opus otii, nullum solitudinis munus exstat*; cf. *Brutus*, 77.

[111] Polyb. 23.14.2–3: ἄλλο μὲν οὐθὲν εἶπε προελθών. Cf. Fraccaro, *Opuscula*, 273–278.

[112] L. De Regibus, *Il processo degli Scipioni* (Torino, 1921), 17–18; G. De Sanctis, *Storia dei Romani*² (Firenze, 1969), IV.1, 579, n. 272.

[113] Cic. *De Orat.* 2.249.

himself, lines which point out that the man *qui apud gentes solus praestat* was once as a youth dragged home from his mistress' apartment by his father, while clad only in a *pallium*. The allusion can hardly have been to anyone but Scipio Africanus, as almost all ancient commentators realized.[114] That is also how Gellius' source took it, no doubt rightly. His source here, as it happens, whether direct or indirect, was Valerius Antias.[115] The fact carries some significance. One might note that the much-maligned Antias who knew of friction between Africanus and the poet Naevius did not fall into the trap of seeing in Naevius, the tribune of 184, the prosecutor of Africanus. That inference, therefore, may postdate Valerius Antias and thus carries little authority. Whatever the origins of the Naevius association, it does not outweigh the bulk of the testimony which sets the accusation of Scipio Africanus in 187.

That being so, it is pertinent to raise the question of whether any trial of Africanus took place at all. Since the episode occurred in the same year as Asiagenus' indictment, with the same prosecutors and charges arising out of the same circumstances, one may well wonder if there were, in fact, two separate trials. A different possibility seems more plausible: the trial of Scipio Africanus is a phantom, constructed out of his intervention and implication in the charges levelled against his brother. Polybius, in fact, does not actually report a trial, only that someone undertook or attempted to bring an accusation before the assembly: ἐπιβαλομένου.[116] Even those sources who believe in a trial give no issue to it—just Scipio marching off to the Capitoline Hill to celebrate the anniversary of Zama, with a large citizenry in his wake and all legal proceedings abandoned.[117] That hardly qualifies as a formal trial. Plutarch, knowing of no result and prob-

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[114] Gellius, 7.8.5: *propemodum constitisse hosce versus a Cn. Naevio poeta in eum scriptos esse*. The allusion would strike a familiar chord, for Scipio had been criticized for Hellenic affectation at Locri, which included the wearing of a *pallium*; Livy, 29.19.11–12.

[115] Gellius, 7.8.6.

[116] Polyb. 23.14.2. Cf. his usage of the word in 5.81.1.

[117] Livy, 38.51.7–14; Gellius, 4.18.3; Val. Max. 3.7.1e; *Vir. Ill.* 49.17; Appian, *Syr.* 40. Efforts to squeeze out of Livy's text actual references to the formal stages of a *iudicium populi* are fruitless. For such efforts, see Mommsen, *Römische Forschungen*, 467–468; Fraccaro, *Opuscula*, 306–308.

ably puzzled, says simply that Cato dropped the charges.[118] Only the latest of our texts, Zonaras, mentions a conviction. But he has both Lucius and Publius convicted together, and then reverses himself in the next sentence, declaring that Publius withdrew before any vote was taken.[119]

The sources, in short, concur in knowing of no verdict. It requires but a small step beyond this to propose that there was no trial. At most one might postulate a *contio* during the proceedings against Lucius, at which the charges were voiced and then met with fierce disdain by Scipio Africanus. The only trial was that of L. Scipio. And the involvement of his brother came in connection with Lucius' trial.[120] This solution gives some meaning to much of our problematical testimony. It explains the naming of the Petillii as accusers by most of our sources. It makes sense of the wide variety of accusations retailed by the texts—there being no formal prosecution of Africanus. And it accounts for Livy's puzzlement when he read the speech of Ti. Gracchus and found in it nothing about a trial of Africanus.[121]

The following scenario can now be suggested. One trial and only one took place, that of L. Scipio Asiagenus in 187. The accusation involved mismanagement or misappropriation of funds in the Antiochene war. Asiagenus was the proper defendant, having been *imperator* at the time of the war. Africanus entered the scene in support of his brother, defied accusers by tearing up accounts, and became himself the object of abuse and informal incrimination. An adverse verdict convicted Asiagenus and subjected him to a fine, but the intervention of Gracchus permitted him to go free. The general point had been made, and the *patres* were disinclined to hound the individual *reus*.

The foregoing reconstruction has the merit of economy. More importantly, it takes the episode out of the realm of pure politics. The effort did not constitute a vendetta against the Scipios, encompassing two or three indictments over a three year period, designed to knock Africanus out of public life and to block

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[118] Plut. *Cato*, 15.2.

[119] Zon. 9.20.

[120] A similar conclusion, which has found few adherents, in De Regibus, *Il processo*, 16–17; De Sanctis, *Storia dei Romani*, IV.1, 576–581.

[121] Livy, 38.56.7.

Asiagenus' route to the censorship. Issues of broader import held precedence. The investigation undertaken in 187 fits as one of a series of attempts to chart the boundaries of power exercised by representatives of the state abroad. It takes its place among efforts to restrict prorogation, to establish clearer criteria for triumphs, to limit prerogatives with regard to moneys obtained in war, and to challenge the questionable behavior of *imperatores* in foreign lands.

Only naiveté would interpret those endeavors as the product of reformist zeal. The Roman aristocracy produced few zealots. Rather, they struggled to find a balance between the rewards of merit or the opportunities for distinction available to individuals within their ranks and the need to maintain an equilibrium in the corporate entity of the ruling class. Hence, as so often in Roman history, compromise and hybrid solutions emerged from a series of ad hoc decisions. Prorogation ran into resistance but was not eliminated. More frequent and more strident objections challenged the claims of would-be *triumphatores*, but the claimants usually got their honors in the end. The general's right to dispose of war-time spoils came under question in order to make it less arbitrary and subject to greater scrutiny—but not to eradicate it. The attacks on the Scipios strove to bring some of these matters more conspicuously to public attention. They did not aim to effect the fall of the Scipios.

The events of 187 engendered a considerable degree of posturing. Despite the voluminous scholarship, this feature has gone unnoticed, a surprising omission. Posturing, in fact, runs through the whole narrative. A summary of the instances leaves a potent impression: the solid front presented by the tribunes, quite possibly rehearsed; the high-principled intervention by Ti. Gracchus to rescue his political enemy; L. Scipio's show of poverty to deflect allegations that he had made personal profit from his time abroad; P. Scipio's display of righteous indignation in tearing up the record books; and his dramatic gesture in presiding over state sacrifices to mark the anniversary of Zama, Rome's salvation—and his greatest victory. Africanus' abrupt withdrawal to Liternum may be a gesture as well, an act of disdain for a process that questioned his integrity while it sought to make a point of principle.

The affair did not bring about the demise of the Scipios. L. Scipio made a show of his modest means in 187 in order to rebut charges of illegitimate profit.[122] Yet in 186 he sponsored lavish games to commemorate his victory over Antiochus, with cash supposedly supplied by the kings and cities of Asia.[123] Lucius remained very much in the public eye. He campaigned vigorously for the censorship of 184, a sign of continued political stature. That he failed to achieve that aim was doubtless disappointing but hardly a disgrace. An unusually strong field of candidates crowded the lists that year in a particularly hard fought election.[124] Publius retired to Liternum, whether out of illness or indignation.[125] He did not again participate in public life. But he had already accumulated all the honors that were in Rome's power to bestow. The idea that he retired in semi-exile or ignominy is pure romance.[126] These events brought no significant interruption in the prominence of the Scipionic clan. In the very year after Africanus' death, his brother-in-law L. Aemilius Paullus gained election to the consulship for 182. The importance of the criticisms aired in 187 lay not in their effect upon the careers of the Scipios, let alone upon the "fall" of the Scipios. There was no fall of the Scipios. The importance lay rather in the increased publicity given to the powers of *imperatores* and the possible misuse of those powers. And it lay also in heightened awareness of the need to adjust to new circumstances and to adapt institutions for control of the wealth, authority, and influence that could be had in the aftermath of the Hannibalic war.

To sum up. The early years of the 2nd century brought Rome unbroken successes abroad but troublesome tensions at home. And, to a large extent, the very successes abroad heightened the tensions within. The wealth, power, and prestige available to victorious commanders proved exhilarating but also disturbing. The prizes increased competition, lifted aspirations, and intensified that drive for *honores* that motivated the leadership of the *res publica*. Yet these developments also threatened to elevate a few

[122] Livy, 38.60.8–10; Plut. *Cato*, 15.2; Dio, fr. 63; Zon. 9.20.
[123] Livy, 39.22.8–10.
[124] Livy, 39.40.2–3.
[125] Livy, 38.52.1–3; Zon. 9.20.
[126] Cf. Livy, 38.53.8, 39.52.9; Val. Max. 5.3.2b; *Vir. Ill.* 49.18.

too far beyond the rest, to encourage abuse of privilege, and to put a strain upon the concert of the *nobiles*. The years after the Hannibalic war saw awkward attempts to define the limits of achievement on the one hand without undermining the ambition for achievement on the other. Results were ambiguous and the balance almost impossible to get right. Prorogation became more restricted, but the ad hoc exceptions prevented any systematic imposition of restraint. Triumphs were increasingly challenged and debated, but the challenges also stimulated commanders to magnify their claims and redouble their zeal for distinction. Attempts to exercise some collective control over the spoils of war only generated indignant reiteration of traditional prerogatives by individuals.

The Roman system did not compartmentalize citizenry and soldiery. The concept of civilian control over the military would be unintelligible to a Roman. The two did not form separate sectors of public life. Almost every prominent senator was himself either an ex-commander or a potential commander. To impose restraints upon one's colleagues was to lower one's own expectations, no easy matter for Roman aristocrats. It should therefore not cause surprise that the results were ambiguous, that no sharp lines were drawn, that no firm legislation was passed. Individual instances continued to be treated on an ad hoc basis. Prospective *triumphatores* often received rebukes but usually got their triumphs. Extended commands were frowned on in principle but could be granted in practice. Attempts to regulate the disposal of material rewards encountered the resistance inspired by convention and self-interest. It is noteworthy that posturing, rhetoric, and gesture take precedence over tangible reforms and institutional change.

The attack on the Scipios represents but one attempt among many to ventilate the problems, while failing to resolve the tensions. It also inspired some of the more memorable posturing. A challenge to the prerogatives of the Scipios set the issues in their boldest light. But the challenge evoked an equally dramatic response that left the outcome equivocal. The conviction of L. Scipio prodded him to indulge in an even more spectacular self-display through his expensive games in the following year. The sharp criticism of P. Scipio motivated his histrionics in shredding the receipt books and provoked his disdainful de-

parture from the public arena. Those events exemplify in most visible fashion the internal strains in the aristocratic system generated by its external successes. And they highlight both the challenges issued to abuses and the maneuvers adopted to blunt those challenges. The self-policing of the *nobiles* was not permitted to reach the point where it might damage the self-image of the *nobilitas*.

FERGUS MILLAR

POPULAR POLITICS AT ROME IN THE LATE REPUBLIC

"After this, Curio delivered before the people a lengthy denunciation of Pompey and the consuls, and when he had finished his term of office at once set off to join Caesar". Few people who have studied Roman history will have difficulty in identifying the moment which these words describe. It is of course December of the year 50 BC, when the incoming consuls-elect had made up their minds to resist Julius Caesar by force, and when Curio, coming to the end of his tribunate, due on December 9, held his last meeting to address the *populus Romanus*. Caesar's crossing of the Rubicon was not far away. We are exactly at the major turning-point in Roman History. We are also, and this is surely no accident, exactly half way through the great *Roman History* in 80 books, written in the third century AD by Cassius Dio, a Greek from Bithynia, a Roman senator, and consul *ordinarius* in AD 229. The words which I have quoted are in fact the very last sentence of book 40.[1]

Dio thus displayed considerable artistry and sense of overall design in choosing the last moments of the tribunate of Curio to end the first half of his *History*. These were not however to be the last words addressed to the *populus* before the civil war broke out. Among the ten tribunes taking up office on December 10, 50 BC, were Marcus Antonius and Q. Cassius Longinus. By December 25, Cicero and Pompey, then at Formiae, more than 100 km away, had in their hands the text of a *contio*, a speech

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[1] Dio XL, 66, 5. This paper, which it is a deep pleasure to offer to Zvi Yavetz, owes much to a lecture given at the Classical Association in Glasgow in 1986, and subsequently, in various forms, at a number of universities in the U.K. and Ireland, at New York University, and—on a memorable occasion in January 1989—at Tel-Aviv. I have kept the style of a lecture, with only minimal notes, partly as a tribute to one of the great masters of the spoken word, in English and other languages, and partly because it is itself a *Vorarbeit*. The topic is explored more fully in my Jerome Lectures of 1993/4, "The Crowd in Rome in the Late Republic".

before the people, delivered by Antonius on the 21st: "containing", as Cicero reported to Atticus, a denunciation of Pompey since he came of age (*a toga pura*), a protest on behalf of the persons condemned, and threats of armed force".[2] After the new consuls, C. Claudius Marcellus and L. Cornelius Lentulus, had entered office on January 1, 49, Antonius held another *contio*, at which he read out the text of a letter from Caesar; in it Caesar put proposals which, as Plutarch reports, were "persuasive to the people": that he and Pompey should both give up their *provinciae*, dismiss their forces, submit to the judgment of the people, and render an account of their actions.[3] But the Senate on the seventh of January passed what Caesar calls that "extreme and ultimate decree . . . that the consuls, praetors, tribunes of the plebs, and whichever proconsuls were in the neighbourhood of the city, should see to it that the *res publica* suffered no loss", thereby misleading modern scholars into thinking that there was a legal entity called the *senatus consultum ultimum*.[4] Immediately after this vote, Antonius and Cassius also left to join Caesar, and the Civil War began.

How had such a crisis arisen? What was the nature of the political system which gave rise to the Civil War, and as a result of it to a monarchical regime which was to last, in Rome and in Constantinople, for a millennium and a half? What was the place within it of the Senate on the one hand, and the *populus Romanus* on the other?

It is still common to say that the Senate represented the "government" of the Roman Republic. A typical formulation is that offered even by P.A. Brunt, whose work has done more than that of anyone else to rid us of stereotypes which are in fact quite recent, but have become hardened into dogma: "The true governing organ of the Roman Republic was the senate which acted through annual magistrates elected by the people but drawn from its own ranks. The senate itself was dominated by a few noble families whose power reposed on their wealth and on the number of their dependents and on the prestige

[2] Cic., *Att.* VII, 8, 5, trans. Shackleton-Bailey, no. 131.

[3] Plut., *Pomp.* 59.

[4] Caesar, *Bell. Civ.* I, 5, 3. See the text, translation and commentary by J.C. Carter, *Julius Caesar, The Civil Wars Book I and II* (1991), *ad loc.* (taking however a more definite view than I do of the *s.c.u.* as an institution).

they derived from their past services to the state". He goes on to talk of the theoretical power of the people, the practical restrictions imposed on their voting, and the manipulation of those conditions by the ruling class: "At Rome there were too many checks and balances in the constitution, which operated in practice only in the interest of the ruling class. Reformers had to use force, or at least to create conditions in which the senate had reason to fear its use".[5]

I think that most people would accept this as a fair description of the structure of politics in the late Republic: an oligarchical system, dominated by noble families; a stable system progressively destabilised, in part at least, by eruptions of mob violence. It is significant indeed that the well-known article from which these quotations are drawn is called "The Roman Mob", and ends with a catalogue of acts of political violence in Rome in the last century of the Republic.

I am not going to suggest that this standard view is wholly wrong. Indeed it lies in the nature of analyses of political systems that they cannot be, in any simple sense, right or wrong. But I do want to suggest that we could see the whole system in rather different terms. For a start we need to establish some different perspectives.

Firstly, the traditional model assumes that popular quiescence or passivity was the norm; popular action running counter to the interests or the wishes of the Senate, or of the upper classes as a whole, represents a breakdown, normally accompanied by violence. No one will dispute that group violence, fuelled by various political motivations, often occurred in the politics of the late Republic. Alternatively, John North's very valuable discussion of the nature and limits of democratic politics at Rome asserts "The popular will of the Roman people found expression in the context, and only in the context, of discussion within the oligarchy".[6] The formulation seems convincing. But by importing the words "the oligarchy" it presupposes that we can define such a

[5] The quotations are from P.A. Brunt, "The Roman Mob", *Past and Present* 35 (1966), 3, on pp. 4–5 and 8; this article was unfortunately not reprinted with other important papers in *The Fall of the Roman Republic* (1988), 4. But it was *Social Conflicts in the Roman Republic* (1971), which took the first significant step in removing the stereotypes which have obscured the reality of communal politics at Rome.

[6] J.A. North, "Democratic Politics in Republican Rome", *Past and Present* 126 (1990), 3, on p. 18.

group in a way which is not circular, that is which does not depend on the mere fact of election to office. It also presupposes that mass reactions had, and could have, no influence. And it (again) invites to take as the norm a state of affairs (when?) in which there were no divisions among the "oligarchy". But, more important still, the standard formulation does not take sufficiently into account the central fact that the sovereign body in the Roman *res publica* was not the Senate, but the *populus Romanus*. Roman laws expressed this fundamental conception with perfect clarity: the tribunician law of (almost certainly) late 101 BC had spoken of the "nations outside (Italy) who are in the friendship of the Roman people";[7] Saturninus' law of 100 on *maiestas* (treason) defined it in terms which Cicero reflects in the 80s: "to detract in any way from the *dignitas* or the *amplitudo* or the *potestas* of the *populus*, or of those to whom the *populus* has given *potestas*".[8] And in 58 BC, when the consuls, Gabinius and Piso, passed a law establishing the immunity from taxation of the sacred island of Delos, the text of the law incorporated the notion that this measure "was in accordance with the dignity and majesty of the *populus Romanus*".[9]

Using "democracy" in a strictly neutral sense, it is undeniable that the constitution of the Roman republic was that of a direct democracy. Firstly, in Rome all office was conferred by election in the assemblies. Our sources reflect repeatedly the conception that office was a *beneficium* conferred by the *populus Romanus*, something which had to be asked for from the people.[10] As Cicero emphasised in his speech in defense of Plancius of 54 BC, it was essential for a candidate to present the public image of someone petitioning humbly (*submisse supplicare*), and particularly essential for a *nobilis*, someone with at least one ancestor who had already held a major office.[11] Given this public expec-

[7] M. Hassall, M. Crawford, J. Reynolds, "Rome and the Eastern Provinces at the End of the Second Century BC", *JRS* 64 (1974), 195, Cnidos Copy, Col. III, 11.33–4.

[8] Cic., *Inv.* III, 53.

[9] C. Nicolet et al., *Insula Sacra: la loi Gabinia Calpurnia de Délos (58 av. J-C)* (1980), restored text on p. 149, 1.18.

[10] See eg. Lucretius III, 995–8: "Sisyphus in vita quoque nobis ante oculos est/qui petere a populo fascis sacrasque securis/imbibit et semper victus tristisque recedit".

[11] Cic., *Pro Plancio* 5/12–13; 20/50.

tation, it was also the norm that a consul, on entering office on January 1, should make a speech of thanks to the populace to give thanks for the *beneficium* conferred on him.[12] It is not for us to say that all this was mere pretence: firstly because office could in fact not be gained without election, preceded by the well-known processes of *ambitus*, that is literally going around soliciting votes; and secondly because the public ideology of a system is itself a fact about it, which we cannot ignore if we wish to understand it. It is noteworthy that it has now been demonstrated by Alexander Yakobson that because the elections were *competitive*, even elections in the *comitia centuriata* represented a power of choice by the people which could and often did extend beyond the highest classes.[13]

Secondly, and even more important, it was the People, and not the Senate, who could legislate; they did so by voting in person; a *lex* or *plebiscitum* was by definition something put to the *populus* or *plebs*, and formally voted on by them; as is well known, in the late Republic the assembly which voted on *leges* was almost always the *comitia tributa* of the 35 tribes. In the relatively rare cases where such a law conferred a right or privilege on an individual, this too could be seen as a *beneficium populi Romani*: so Julius Caesar in early 49 complained that the Senate and consuls were denying him the right conferred by the law proposed by the ten tribunes in 52, and passed by the People, namely that he would be allowed to stand for the consulship in absence: "he was grieved that the *beneficium populi Romani* should be injuriously denied him by his enemies . . ."[14] It is more important to recall that the right to propose legislation to the People had been removed from the tribunes in Sulla's legislation in the late 80s, was the subject of repeated popular pressure through the 70s, and was restored in 70. Thereafter, the process of legislation became again what it had been before, one of the central elements in the public political process, and the main agent of *change*. This needs to be stressed: the passing of new laws by the People was *the* essential vehicle by which rapid and fundamental change came about in the last twenty years of the Republic.

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[12] Cic., *De leg. ag.* II, 1/1.

[13] A. Yakobson, "*Petitio et largitio*: Popular Participation in the Centuriate Assembly of the Late Republic", *JRS* 82 (1992), 32.

[14] Caesar, *Bell. Civ.* I, 9, 2, see Carter (*op. cit.* n. 4 above) ad loc.

Should we see this twenty-year period, from 70 to 50 BC, on which I intend to concentrate, as itself representing the breakdown of a previously successful and stable political order? In a wider perspective, that would indeed be paradoxical. For it was precisely in this period that Roman direct rule, and Roman taxation, suddenly expanded through Asia Minor to Syria, the banks of the Euphrates and the edge of the desert in one direction, and to the North Sea in the other. As Pompey claimed in a speech addressed to the people some time after his return in 62, "he had received Asia as the furthest of provinces and restored it to his homeland as a central one (in the Empire)".[15] It should be noted that this claim was made in a *contio*, a speech addressed to a meeting of the People. There followed the great triumph celebrated in Rome by Pompey in 61, in which the extent of his conquests, the scale of the booty, and what is more, the vast increase in the recurring taxation-income of the Empire were all demonstrated in visual form before the People.[16] It is not surprising that the law of 58 BC about Delos, referred to earlier, not only looks back to the law of 67 which Gabinius had passed as tribune (against almost universal opposition from the Senate); as a result of it, the law of 58 recalls, the pirates had been "overcome and destroyed"; but the text of the law also describes the present state of affairs as one in which the *imperium* had been expanded (*amplificatum*) and peace achieved throughout the world.[17] In 58 also, of course, Caesar was to begin his campaigns in Gaul, a chance which he too owed to a law proposed by a tribune, and passed by the People, in 59; in 58 itself another law proposed by Clodius as tribune, would send Cato to annex the Ptolemaic kingdom of Cyprus. The constitutional and political issue which was at stake in this case was also presented quite explicitly to the People. Cicero twice records that Caesar wrote from Gaul to congratulate Clodius on putting Cato in this position; his acceptance of this commission would prevent him from complaining in future about grants of extraordinary powers. More important however is the fact that this letter was then read out by Clodius to the crowd assembled

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[15] Pliny, *NH* VII, 26/99; H. Malcovati, *ORF*[3], Cn. Pompeius Magnus V/19.

[16] See esp. Plut., *Pomp.* 45.

[17] See n. 9; see 11. 16–19 of text.

at a *contio*.[18] If Cato was embarrassed by this mission, he did not show it when he returned in 56 BC. He sailed back to Rome in one of the royal galleys, and had the royal treasures paraded through the Forum, to the amazement of the People. Once again, the profits of the empire were literally demonstrated to the public.[19]

Yet another law of Clodius, passed in January of 58, established for the first time that the monthly grain distribution made to the people of Rome should be free of all charge. To Cicero this law seemed, as such laws always did, a misuse of the revenues of the state: "with the remission of the charge about a fifth of the revenues would be removed". To others it was clearly, as Asconius says, "summe popularis"; to them it will surely have seemed the fulfilment of the principle put forward earlier, by the Gracchi: "what could be more just than that the impoverished *populus* should be supported from its own treasury?"[20]

I would like to suggest that we should, among other perspectives, also try to see the evolution of the Roman Empire, and the pattern of Roman political life, from the point of view of the *populus* of Rome. In doing so we need not in the least deny the important role of the upper classes: the inherent militarism of Roman upper-class life; the competitiveness and search for personal and family glory; the vast scale of personal profiteering, and the steadily-rising standards of personal wealth, luxury and display. All that is beyond question, and the expansion of the Roman Empire would not have taken place in the same way without it. But we can still try the stratagem of adopting a perspective which is not that of the upper classes, and seeing whether it does not make as good or better sense of the evidence before us. Suppose, that is, that we consider the Roman political system, Roman military activities, and the expansion and exploitation of the Empire, in terms of how far they satisfied the interests of the voters, the *populus Romanus*.

The political quiescence of the first half of the second century BC would then appear not as domination by the Senate, but as the result of a series of relatively brief, successful, profitable and

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[18] Cic., *Dom.* 9/22; *Sest.* 28/60.
[19] Plut., *Cato Min.* 39.
[20] Cic., *Sest.* 25/55; Asconius, ed. Clark, 8; Florus, *Epit.* II, 1.

glorious wars in the East on the one hand; and, on the other, of the continued availability in Italy of newly-conquered land, which could be divided out for settlement, at any rate down to the 170s.[21] The political turmoil of the second half of the second century would then be seen as arising, for instance, from involvement in long and unprofitable major wars in Spain, from 153 BC onwards; then from suspicions of improper conduct and profiteering on the part of senatorial commanders—we should recall the famous trial of Sulpicius Galba before the Roman people in 149, and the passage in the same year of the first tribunician law to set up a court to try senatorial governors and office-holders for extortion;[22] but above all conflicts now arose over the occupation and use of a now fixed and limited stock of public land in Italy.

I do not need to rehearse again all the themes of popular politics in the later second century: the use of the funds left by Attalus of Pergamon to Rome; the exploitation of the revenues of Asia; suspicions over corruption and bribery on the part of senators; the laws on grain-distribution in Rome, so far at a fixed price, not free; the treason law of Saturninus, whose terms were quoted earlier; the first laws for establishing *coloniae* or land allotments overseas; the major law of 101 BC laying down what was to be done in Asia Minor and in Macedonia, and imposing on office-holders the obligation to swear within five days to obey its provisions. Taken together, these and other measures of the period represent both an assertion of popular sovereignty and repeated attempts to reap the benefits of Empire for the *populus*.[23]

The Social War of 90 BC, the extension of the Roman citizenship to all of Italy, and the consequent, doubling of the number of persons in principle qualified to vote in Rome represented one major disturbance of this political pattern; I will come back later to some of its consequences. Another disturbance of course

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[21] For my view of this period, obviously not the only one which is possible, see "The Political Character of the Classical Roman Republic, 200–150 BC", *JRS* 74 (1984), 1.

[22] See J.S. Richardson, "The Purpose of the Lex Calpurnia de repetundis", *JRS* 77 (1987), 1.

[23] For a sketch of the ways in which these issues played a role in oratory addressed to the People see F. Millar, "Politics, Persuasion and the People before the Social War", *JRS* 76 (1986), 1.

was the establishment by force of Sulla's counter-revolution in 82, and the constitutional changes which were then imposed. It is important to stress how profound a counter-revolution this was. Whatever the exact form of the removal of tribunician legislation, the very fact that this step was taken demonstrates the centrality of the operation of popular sovereignty. So does the force of the reaction in the following decade. For by 70 BC all the essential elements of popular politics had reasserted themselves. When C. Aurelius Cotta, as consul in 75 BC, passed a law to give back to the tribunes the right to stand for further office, it was "against the will of the *nobilitas*, but with great popular enthusiasm".[24] L. Quinctius, as tribune in 74, is described by Cicero as having brought back the "tribunician voice" to the rostra, abandoned since Sulla, and caused the people to become once again accustomed to *contiones*.[25] M. Seius, aedile in the same year, provided oil and grain at a modest price for the *populus Romanus*, apparently contributing the cost from his own pocket. As a result he became a popular hero; statues of him were dedicated on the Capitol and the Palatine, and on death he was carried to his cremation by the people.[26] The consuls of the next year, 73, carried a law for the purchase of grain in the provinces, for consumption in Rome. Demands for the restoration of the tribunate continued, coupled with popular suspicion of the operations of the extortion court, as conducted by the senatorial jurors. Indeed, if we may believe Cicero, the latter question aroused even more feeling than the former. For in his first speech against Verres, of 70 BC, he recalls an occasion in the previous year:[27]

> Finally, when Cn. Pompeius himself, as consul designate, held his first public meeting (*contio*) near the city, in which, as seemed to be the thing most expected of him, he made clear that he would restore the powers of the tribunes, there arose in response a noise and a contented murmur on the part of the crowd. But when he himself in the same speech had said that the provinces were being ravaged and harried, and the courts becoming a shame and disgrace—this was something which he intended to provide for and

[24] Asconius, ed. Clark, 66–7.
[25] Cic., *Cluent.* 40/110–12. See Broughton, *MRR* II, 103.
[26] Cic., *De off.* II 17/58; Pliny, *NH* XV, 1/2; XVIII, 4/16.
[27] Cic., *Verr.* I, 15/45.

take steps about; then indeed, not with a mere noise, but with a mighty shout the *populus Romanus* made known its will.

Time and again in the orations against Verres, Cicero alludes to the force of popular opinion in Rome, as it bore on the conduct of the courts, and emphasises the hostility of the Roman people to Verres. A law transferring control of the courts had indeed not yet been passed; that was precisely the threat which he was holding over the heads of the senatorial jurors. "What can we say against that praetor (L. Aurelius Cotta) who daily occupies the *templum* (i.e. the *rostra* in the Forum) and who says (i.e. in speeches to the people) that the *res publica* cannot stand unless the courts are transferred to the *equester ordo*?"[28]

Thus the various elements of a political system based on popular power and directed to popular gratification had either survived the Sullan regime, or, by 70, been restored after it. Cicero can allude casually in the Verrine orations to the fact that "in our *res publica*" people gain office by *largitio*, by largesse to the voters.[29] The series of games and shows offered to the people had even increased in this period. The summer in which Cicero was speaking was taken up not only by the traditional *ludi Romani*, but by the *ludi Victoriae* established by Sulla himself, and *ludi votivi* given by Pompey as consul.[30] Cicero himself could look forward to the power and public role which he would enjoy as *aedilis* in 69; if Verres were not condemned, he would be able, as *aedilis*, to accuse him before a popular court.[31] More important, occupation of this office will give him a central role in the life of the city: the conduct of games in honour of the gods, the *procuratio* of the sacred buildings, the care of the whole city.[32]

Immediately after 70, and the restoration of the right of the tribunes to propose legislation to the people, the course of popular politics duly resumed the pattern which it had shown until the year 100. Within a couple of years laws put to the assembly by tribunes became the means by which provincial commands were transferred, and detailed questions relating to the provinces settled.

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28 Eg. *Verr.* II.3, 3/7; 98/223.
29 *Verr.* II.2, 58/138.
30 *Verr.* I.10/31.
31 *Verr.* II.5, 67/173.
32 *Verr.* II.5, 14/36–7.

It was surely by means of a law that, in 68, the province of Cilicia was removed from Lucullus' command and given to Q. Marcius Rex;[33] and it is virtually certain that the law on the privileges of Termessos in Pisidia, put to the plebs by a group of tribunes, also belongs to 68; among other things the text of this law declares that the people of Termessos are to be *amici* and *socii* of the *populus Romanus*, and it instructs magistrates and pro-magistrates not to billet soldiers there, or make any illegal demands on them.[34]

This phase came to a head in 67. One law passed by the tribune Gabinius gave to the consul, M'. Acilius Glabrio, the *provincia* of Bithynia and Pontus, and another gave Pompey his historic Mediterranean-wide command against the pirates. In the following year Cicero, speaking to the People, was to recall the scene when this latter law was passed.[35]

> Do you think that there is any shore so deserted, that the fame of that day has not reached it, when the whole *populus Romanus*, with the forum packed, and every temple crowded from which this place (the *rostra*) can be seen, demanded Cn. Pompeius as sole *imperator* for the common war on behalf of all peoples?

It would be possible to devote an entire paper to the complex patterns of popular politics—or of *public* politics conducted in the open in a central public place, the Forum Romanum—as they showed themselves in this law, and other legislation of the year 67. But a few episodes will suffice by way of illustration. The two prominent *consulares*, Hortensius and Catulus, both spoke against the law, to the people.[36] Catulus did so in part by question-and-answer to the crowd, as Cicero recalls:[37]

> When he asked of you (the people), if you were to confer all power on Pompey, and if anything happened to him, in whom you would repose your hopes, he gained a striking reward for his own *virtus* and *dignitas*, when you all with one voice said that it would be in him himself.

Here, as in the following year, a fundamental argument about

[33] Dio XXXVI, 2, 2.
[34] See J.-L. Ferrary, "La Lex Antonia de Termessibus", *Athenaeum* 63 (1985), 419.
[35] Cic., *Man.* 15/44.
[36] *Man.* 17/51–3; 19/56.
[37] *Man.* 20/59.

the nature of the constitution on the one hand, and the needs of imperial security on the other, was being conducted in public through the medium of speeches. Cicero's *Pro lege Manilia* itself, a literary version of a *contio* delivered by Cicero to the people, is our best evidence of that. One should note especially the elaborate arguments from historical precedent, and, as always, the fear of the effects in Rome of losing the revenues of Asia. Particular significance attaches to the quotation of Hortensius' speech against this law: *if* all power were to be granted to one man, Hortensius had said, Pompey was the most worthy; but it was *not* proper to grant all power to one man.[38]

Of course political decisions were not made solely on the basis of reasoned public argument about past precedent and resent necessity. The complex machinery of the Roman constitution could be invoked to crush opposition; in 67, when another tribune, Trebellius, was persuaded to veto the law about Pompey's command, Gabinius had called in the 35 *tribus* one by one to vote on his deposition. Only when 17 tribes had voted, and the 18th was going to, did he give in.[39] In the same year another tribune, Cornelius, raised the issue of profiteering by the medium of loans being made to foreign ambassadors present in Rome; this question too became a constitutional issue, when he proposed that the steps taken by the Senate were inadequate, and that law passed by the People was required.[40] The attempt to pass the law led to a veto by another tribune; this veto had the effect of stopping the *scriba* from reading out the text of the law to the *populus*; so Cornelius took the text (*codex*) and read it out himself. Note that custom required that the whole text of the law should be read out before the people—and that no one had established whether one tribune could veto another acting in person. When the consul declared publicly that a veto of this type was improper, he was greeted with abuse by the people; when he ordered his lictors to arrest some of them, their *fasces* were broken, and stones were hurled from the back of the crowd.[41]

This issue was in the end settled by a compromise. But it

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[38] *Man.* 17/52.

[39] Asconius 37, ed. Clark.

[40] I make no attempt in this context to go into the complex series of events associated with this tribunate. See eg. M. Griffin, "The Tribune C. Cornelius", *JRS* 63 (1973), 196.

[41] Asconius 57–9, ed. Clark.

involved basic questions as to who might profit from the power conferred by Empire, and where sovereignty lay. The atmosphere of the year 67 is however perhaps best recaptured in another incident which Cicero retails eleven years later in his speech in defence of Sestius. Gabinius, as tribune in 67, had displayed to the crowd a picture of a villa, with the object of bringing a prominent citizen (Lucullus) into disrepute.[42] The purpose was clearly to arouse popular suspicion of profiteering and luxurious private lifestyles. "The *populus Romanus*", as Cicero recalled, defending Murena in 63, "hates private *luxuria*, and delights in public *magnificentia*".[43] Visual messages, as well as verbal ones, had their place in popular politics.

With the mid 60s, we have of course returned to the period from which I started: the period of the clearing of the pirates from the Mediterranean, and of the great conquests by Lucullus and Pompey, soon to be followed by those of Caesar, when the empire was indeed *amplificatum*, as the law of 58 proudly stated. I have emphasised above all two things. In the short term, in the 60s and 50s, there was the essential role of *leges* passed by the people in establishing the major commands which made the conquests possible. The laws already mentioned were followed by those of 58 which gave Piso the province of Macedonia, and Gabinius first Cilicia and then Syria; and then the laws of 55 BC which gave Pompey Spain and Crassus Syria, each for five years, and another which prolonged Caesar's command in Gaul.

The second essential point is the extent to which all this led to benefits which themselves reflected the fact of the sovereignty of the *populus Romanus*. Suppose, as I suggested earlier, that we ask how the whole story would look if we saw it from the perspective of the people of Rome. The most obvious example is the fact that a free corn ration was established by a law passed by Clodius in 58; this right to free corn was to last late into the Empire. Then there were laws to use the resources of the state to acquire land for individuals. The law proposed by Rullus on entering the tribunate in December 64 aimed to raise funds by selling public assets in the provinces, and to use these funds for buying private land on which individual citizens could

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[42] Cic., *Sest.* 43/93.
[43] Cic., *Mur.* 36/76.

be settled. The text of Rullus' law was put up in public, where interested parties could copy it; and Rullus explained his proposals to the People in a speech which, Cicero says, was so long and so complicated that no one understood it.[44] We do not know whether the bill was rejected, or was never finally put to the vote; only that it did not become law. Nor do we know why; we only know Cicero's public speech against it, his second oration *de lege agraria*, using, among others, the arguments that the proposal was in reality a device to gather power into a few irresponsible hands. But the same issue returned in 60 with the bill about land-distribution proposed by Flavius, when again Cicero made a detailed speech against it, addressed to the People; here he defended the interests of private property "with a favourable reception from the *contio*", the public meeting, or so he reports.[45] The bill of 60 also did not become law; but the two agrarian bills of Caesar in 59 did, to be followed in his dictatorship by the first-ever extensive programme of colonisation overseas, involving some 80,000 people. Conquest, overseas colonisation and the political change which we call "the Roman Revolution" are three aspects of the same process.

One other argument which Cicero had used in 63, against Rullus' proposal for procuring agricultural land on which to settle citizens, was the fact that they would then be deprived of the delights of the city:[46]

> You indeed, Citizens, if you will listen to me, keep hold of what you have, your political influence (*gratia*), your freedom, your votes, your *dignitas*, your city, forum, games, festivals and all your other asset . . .

These were indeed real assets. It would be a mistake to see public shows and ceremonials, and the steadily rising level of the public *magnificentia* which was demanded of office-holders by the *populus*, as trivial features of the way that Roman politics worked.[47] Looked at structurally, they were both a price paid to

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[44] Cic., *de leg. ag.* II, 5–6/13–14.
[45] Cic., *Att.* I, 19, 4, Shackleton-Bailey no. 19.
[46] *De leg. ag.* II, 27/70–1.
[47] The best treatment of the role of public *magnificentia* in the late Republic is P. Veyne, *Le Pain et le cirque* (1976), pt. iii, trans. as *Bread and Circuses* (1990). See also Yakobson, *op. cit.* (n. 13 above).

the *populus* for office, and a means by which the benefits of Empire could be felt by the mass of the people in Rome. There is no need here for a long catalogue of shows and liberalities. It may be sufficient to mention for example the dinner and the three-month supply of grain given to the people by Crassus as consul in 70;[48] or Caesar's ruinously expensive displays as *aedilis* in 65; or the famous *ludi* given by Scaurus as aedile in 58, which involved the construction of a temporary theatre three storeys high, of which the first was veneered in marble; the theatre allegedly seated 80,000 spectators, and contained 3000 statues.[49] Scaurus was also to display 150 female leopards, the first hippopotamus ever shown in Rome, and 5 crocodiles for which a special water-channel had to be cut. From Jaffa he brought what was said to be the skeleton of the monster to which Andromeda had been exposed.[50] The point was not solely to exhibit *magnificentia*, or to amaze the public. Scaurus had been left by Pompey as the first governor of Syria, with the anomalous rank of *proquaestore propraetore*, in 63–2, immediately after it had been conquered. The legendary monster from Jaffa, like the coins of 58 naming both Scaurus as *aid(ilis) cur(ulis)* and King Aretas of Nabataea (which he had in fact invaded, but then retreated), was thus another comforting reminder to the people of the rapid recent extension of the boundaries of Roman power.[51]

This extension was aptly mirrored also, in the fifties, by major building-projects instituted and paid for by the great conquerors out of the profits of conquest. These buildings have many levels of significance, but one is precisely the channelling for public benefit of profits which could have been spent privately. Pompey's permanent stone theatre, the first ever constructed in Rome, was said by Pliny to have seated 40,000 spectators; the true figure is perhaps 10,000, which is striking enough. This too was also a symbol of Roman expansion: the design was copied from the theatre at Mitylene; and in and around the theatre stood fourteen statues of personified *nationes*, evidently those conquered

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48 Plut., *Crass.* 2, 12.

49 Pliny, *NH* XXXVI, 24/113–15.

50 Pliny, *NH* VIII, 24/64 (leopards); 40/96 (hippopotamus and crocodiles); IX, 5/11 (monster from Jaffa).

51 Broughton, *MRR* II, 168, 175; M. Crawford, *Roman Republican Coinage* I (1974), no. 422.

by Pompey. Above the *cavea* stood a temple of Venus Victrix, and in theory the seats of the *cavea* were merely the steps leading up to the temple. In his *edictum* addressed to the people Pompey invited them to the dedication of this temple "to which we have subjoined seats for the shows". Like his triumph of six years before, but in permanent form, the theatre offered the *populus Romanus* a symbol of his, and its, victory. Before the battle of Pharsalus Pompey was to dream that he was entering the theatre to make offerings to Venus Victrix, and receiving the applause of the people.[52]

A permanent inscription, with Pompey's name, was placed on the theatre only three years later, during his third consulship in 52.[53] By that time he was already in danger of being outdone. For Caesar's building-projects, financed by his victories in Gaul, were planned to occupy an even more central place in the political life of the Roman people. The sum of 100 million *sesterces* from the spoils of war in Gaul was used merely to purchase the ground for his new Forum.[54] By mid-54 Cicero himself, as he records in a letter to Atticus, was in some way involved in plans for extending the Forum as far as the Atrium Libertatis, and 60 million sesterces had already been spent. In the same letter of 54, Cicero alludes to even more spectacular plans for building on that other essential public space, the Campus Martius, where the elections were held (all elections, as it seems, since the mid-second century). Here the plan was to build for the electoral assemblies a marble enclosure, the Saepta, roofed and surrounded by a portico 1000 paces in length. This building was in fact to be completed in 26 BC, one year after Senate and People had finally recognised the power of Augustus.[55]

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[52] Pliny, *NH* XXXV, 24/115 (40,000 spectators); 4/41 (*nationes*). Tertullian, *Spect.* 10, 5 (*edictum*); Plut., *Pomp.* 68, 2 (dream). See E. Frézouls, "La construction du *theatrum lapideum* et son contexte politique", in *Théatre et spectacles dans l'Antiquité (Colloque Strasbourg 1981*, 1983), 193. See P. Zanker, *Augustus und die Macht der Bilder* (1987), 30ff.

[53] Aulus Gellius, *NA* X, 1, 7.

[54] Suet., *Div. Jul.* 26.

[55] Cic., *Att.* IV, 16, 8, Shackleton-Bailey no. 86. On the Forum Iulium, whose scanty surviving remains are in any case of the Imperial period, see especially Platner-Ashby *s.v.*, and J.C. Anderson, *The Historical Topography of the Imperial Fora* (1984), ch. 1. For the Saepta, Platner-Ashby *s.v.* Completion in 26 BC: Dio LIII, 23, 2, and L.R. Taylor, *Roman Voting Assemblies* (1966), esp. 47ff. See now R.B. Ulrich, *AJA* 97 (1993), 49, and N. Purcell, *PBSR* 61 (1993), 125.

That may seem to be a paradox. In fact it is not. For it was precisely this two-way relationship between *princeps* and *plebs* which broke up the Republic.

These lavish buildings and elaborate, apparently pointless, displays are not a trivial or superficial aspect of Republican politics. To understand their significance we have to consider them together with the distributions of grain, which was now free, and reached some 300,000 people; Cicero may be exaggerating in saying that these distributions used up a fifth of the public revenues; but scale of the provision is still striking.[56] Similarly, buildings and shows meant the deployment in Rome of major organisational efforts in relation to the rather slight overall functions which the Roman *res publica* performed. In sheer terms of scale and cost these things cannot be regarded as trivial. As I suggested earlier, we could reasonably look at the whole course of Rome's expansion and exploitation of its empire in terms of its capacity to provide benefits for the *populus Romanus*. In that context it is very significant that by 57 the *populus* saw itself as entitled, not merely to a free ration of corn, but to active measures on the part of the state to provide corn for the market in Rome. In September of 57 the crowd gathered spontaneously in the temporary theatre erected for the *ludi Romani*, and then rushed to where the Senate was meeting; according to Cicero, in a letter to Atticus, Clodius inspired them to shout that the shortage was his, Cicero's, fault. They also demanded that Cicero propose that the care of the corn-supply be given to Pompey. After he had duly proposed this, and the Senate had passed a decree in these terms, the text of it was immediately read out to the crowd outside. When the crowd applauded "in the silly, new-fangled fashion", by chanting Cicero's name, he himself made a speech before them.[57] Dio may be over-dramatising in recording that the mob in fact rushed to the Capitol, where the Senate was meeting in the temple of Concordia, and threatened

[56] For Cicero's claim see p. 97 above. For the grain-distributions see the succinct treatment in G.E. Rickman, *The Corn Supply of Ancient Rome* (1980), ch. 7.

[57] Cic., *Att.* IV, 1, 6, Shackleton-Bailey, no. 73, translates "<cum multitudo> more hoc insulso et novo plausum meo nomine recitando dedisset" as "the people applauded after the silly new-fangled fashion *when* my name was read out", surely wrongly. The new fashion will have been that of applauding *by* repeating his name.

to slaughter the Senators and burn down the temples.[58] But the essential points are clear: the presumption of a public right to beneficial measures on the part of the State; the highly exposed position of the Senate when popular feeling was aroused; and (to look forward) the permanent acceptance later, under the Empire, both of a free corn distribution and of the state's obligation to protect the market price of corn. The demands of the *populus Romanus* were to find their most important reflection in the *Res Gestae* of Augustus.

In the late Republic, however, the term *populus Romanus* was already a highly ambiguous one. Almost all the benefits which it successfully demanded were felt in the city itself—the shows put on by office-holders and others, the triumphs which literally demonstrated the profits of Empire before the people, the distributions of corn, the provisions for the supply of market corn. So too of course all the active functions of a citizen could only be performed in Rome, by voting in person in the traditional locations of the Forum or the Campus Martius. But, as was mentioned earlier, the effect of the Social War of 90 BC had been to win the citizenship for everyone in Italy—that is of course all free, adult males—living south of the Po, not far short of a million people in all. They were not in practice registered as voters, however, until twenty years later, in the consulship of Pompey and Crassus in 70, which saw the effective doubling of the registered citizen body. As Cicero was delivering his first oration against Verres in the summer of 70 BC, he could refer to "this crowd (*frequentia*) from all over Italy, which has gathered at a single moment from all directions, for the elections, the games and registration in the census".[59]

As is well known, the structure of the Roman city state was not changed in the slightest to reflect its progressive numerical and geographical expansion. All political activity was still carried out in Rome, in person. But what Lily Ross Taylor, in her much underestimated book on Roman politics in the time of Caesar, called "delivering the vote" could now involve canvassing as far away as the Po valley.[60] In elections, all might thus depend on

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58 Dio XXXIX, 9.
59 *Verr.* I, 18/54.
60 L.R. Taylor, *Party Politics in the Age of Caesar* (1949), ch. 3. See eg. *Comm. Pet.* 30–1; Cic., *Att.* I, 1, 2.

which groups, from which areas, might feel the enthusiasm, or be persuaded, to make the journey in to Rome to vote. Defending Plancius in 54, Cicero points out that it was precisely *because* he came from a rather obscure place, Atina, that everyone in that neighbourhood had come in to vote for him in his campaign for the aedileship; so had large numbers from the small towns nearby, Arpinum, Sora, Casinum, Venafrum, Allifae. In Tusculum, from where his defeated rival came, the prospect of a local man reaching the aedileship was commonplace, and of no interest.[61] These small places which had supported Plancius lay over 100 km from Rome; but for a particular reason, when a local man was standing, it was possible to "get out the vote" from there.

But this was an election, happening at a more or less predictable time, and support could be prepared in advance. The various factors and influences which were relevant to Roman elections have often been studied. Too often indeed; for we have allowed our overall picture of the Roman political process to be determined by that. The consulate, for instance, was dominated by *nobiles*, the descendants of office-holders.[62] Does that of itself prove that in political terms the *res publica* was, or could be, run by an oligarchy for its own benefit? No: firstly, public office was, as indicated above, conceived of as a *beneficium* conferred by the *populus*. Secondly, and more important, in the case of the two annual consuls, we should remember what Cicero said: the *populus* in electing consuls, was choosing *imperatores*. Only secondarily, and in particular circumstances, might people look to rhetorical ability: "(then) a consul is sought who by speaking may sometimes repress the *furor* of the tribunes, turn aside the excited *populus*, resist *largitio*".[63] Four fundamental points are relevant here; firstly, elections to the consulship tell us a lot, but not everything, about Roman political life. Secondly, other offices, and above all the tribunate, were also reflections of popular support, and vehicles of popular politics; thirdly, the use of words, oratory, before the people, was central to the political process in Rome; and fourthly—the most important thing of all—the

[61] Cic., *Planc.* 8–9/19–22.

[62] For a clear demonstration of this see now E. Badian, "The Consuls, 179–49 BC", *Chiron* 20 (1990), 371.

[63] Cic., *Mur.* 17/38; 11/24.

central focus of politics was *not* election to office, but conflict about laws.

Here too the gross discrepancy between the total number of voters and the relatively small numbers who did, or even could, vote in the traditional public assembly, the Forum, played a major part. In this context also, research is only now beginning to examine forms of leadership or political influence which might be brought to bear within the context of a large city, made up of different quarters (*vici*), in order to bring large crowds to the Forum or the Campus Martius.[64] As to what happened when a crowd did assemble, it is crucial to recall that there was no organised force on which elected officials could depend. As Wilfried Nippel has shown, the very limited level of force which could be exercised by the *lictores* who accompanied the consuls was hardly more than symbolic, and depended for its effectiveness on communal deference.[65] When that disappeared, the way was open to mob violence, or to the organised gangs of Clodius and Milo. Time and place were all; a crowd occupying the Forum might pass a law there, and be succeeded within the same day by a different crowd protesting. So, in 55, one tribune by occupying the Forum in advance got a law passed to give long-term commands to Pompey and Crassus; as the crowd was departing, another tribune appeared, showed the people one of his colleagues who had been injured, and "by saying those things which would have been expected, profoundly stirred their feelings".[66] In the same year, after Vatinius and others had been elected as praetors with the aid of force, to serve for that same year, those who had voted for them left the Campus Martius. Then a tribune called a *contio* there, which was addressed by Cato, who told the people what would come from the domination of Pompey and Crassus. Plutarch claims that he was then escorted home by a larger crowd than had accompanied any of the elected praetors.[67]

These violent and erratic fluctuations are well known, and indeed have an established place in pictures of the breakdown

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[64] See now P.J.J. Vanderbroeck, *Popular Leadership and Collective Behaviour in the Late Roman Republic (ca. 80–50 BC)* (1987), a valuable work from which there is much to learn.

[65] W. Nippel, "Policing Rome", *JRS* 74 (1984), 20; *Aufruhr und "Polizei" in der römischen Republik* (1988).

[66] Dio XXXIX, 35.

[67] Plut., *Cato Min.* 42.

of the Republican system. All that I wish to emphasise is that they are themselves a product of what one cannot quite call democratic politics, and certainly not a class struggle; but it was a matter of popular politics, or crowd politics, and it was about the passing of laws and measures to do with the empire. For it is absolutely crucial to emphasise that a Roman crowd occupying one of the established centres of political activity was—or could be—something fundamentally different from the "urban mob" familiar from many periods of history. For such a crowd, as soon as it was organised into its voting units, whether *tribus* or *centuriae*, was not *protesting* against the actions either of a legal sovereign or of an effective "governing organ". For it was itself the sovereign body, and in many respects it was also the governing organ. Moreover, and this is my final point, we underestimate how large a part in all this was played by persuasion, mainly in the form of oratory, but also by question and answer, or by various forms of visual presentation. In all of this we are looking at various aspects of the *contio*—a word which, depending on the context, means an informal public meeting called by an office-holder, a speech delivered at such a meeting, or the actual crowd attending it.

It is important to stress that the Senate itself functioned within this context of crowd-politics. As I mentioned earlier, it met in exposed locations in the centre of the city, normally of course in the *curia* on the edge of the Forum itself. The noise of an angry crowd gathered around the Comitium outside could be heard inside. Moreover, interested persons from within the Senate could also easily step outside and report to the crowd on what had been said inside. So in 52, on the day after the murder of Clodius, T. Munatius Plancus delivered a *contio* to explain what decree the Senate had intended to pass, who had asked for a division, who had interposed a veto, and why.[68] Or again, Clodius could report in a *contio* that the college of *pontifices* had ruled that the destruction of Cicero's house was legal, and that Cicero was trying to regain possession of it by force; the people should follow him in defence of their liberty.[69] Alternatively, prominent

[68] Asconius, ed. Clark, 44–5.
[69] Cic., *Att.* IV, 2, Shackleton-Bailey no. 74.

persons, office-holders or members of the colleges of priests, could be brought before *contiones* to give public testimony in person. So Cicero, speaking as if addressing Clodius, recalls what the latter had done as tribune in 58:[70]

> You produced Bibulus before a *contio*, as you did also the *augures*; in response to your interrogation the *augures* replied that when someone was watching the heavens for *auspicia*, it was not legal to put measures before the people.

Two years later, C. Cato, as tribune of 56, compelled members of the college of the *Quindecimviri sacris faciundis* to read out verses from the Sibylline Books before a *contio*.[71] In the same year the consul, Cn. Cornelius Lentulus Marcellinus, complained in a *contio* about the excessive *potentia* of Pompey and Crassus, and was met with roars of approval from the people.[72] He also brought these two in person before a *contio*, and questioned them as to whether they intended to stand for the consulship; "the many", according to Plutarch, "bidding them answer",[73] that is shouting out that they wanted an answer. To Cicero this sort of dialogue with the crowd was a dangerous innovation which was all too like the uncontrolled licence of Greek democracies—as was the scandalous idea of the populace being able to debate things sitting down, a point on which he speaks at length in his speech in defence of Flaccus.[74] Thus he writes of Appius Claudius Pulcher, the brother of Clodius, and praetor in 57:[75]

> That praetor, in the fashion not of his father, grandfather and great-grandfather, but of mere Greeks, used to interrogate the crowd at a *contio* on the subject of myself, asking "did they wish me to be restored?"—and when he was answered by the half-dead voices of some hired hacks would proclaim that the *populus Romanus* said "no".

It would be possible to go on with many more examples of speeches before the people, and reactions from them, speeches which might continue up to the last moment before people di-

70 Cic., *Dom.* 15/40.
71 Dio XXXIX, 15, 1–16, 1.
72 Val. Max. VI, 2, 6.
73 Plut., *Pomp.* 51.
74 Cic., *Flacc.* 7/15–18.
75 Cic., *Sest.* 59/126.

vided into their tribal voting units to vote on a law.[76] The notion current in modern books that there was no debate at meetings of the Roman people is a pure technicality, which distinguishes the voting-process itself from the highly politicised *contiones* which preceded it. We would understand late Republican politics much better if we took the content of what Antonius said to the People in December of the year 50 as seriously as Cicero did. Antonius, it may be recalled, had denounced the public role of Pompey throughout his career; had protested about improper condemnations in the courts; and had threatened civil war. Four days later a written text of the speech was being studied by Cicero, over 100 km away in Formiae. If we paid equally close attention to the actual words addressed to the sovereign people in Rome, we would be better placed to understand the nature of Roman politics, the evolution of the Republican empire and that very direct relationship between speaker and crowd which played so fundamental a part in the workings of the Republican system. That it continued to do so was one legacy, among many others, of the nuclear city state, with an urban centre and surrounding territory, which Rome had been until the early fourth century. Hence the workings of politics in Rome were always marked by those direct exchanges between *plebs* and *princeps* whose subtleties were explored more than two decades ago by Zvi Yavetz.[77] It is only a seeming paradox that it was this primitive feature of the Republic, direct addresses to the crowd followed by their voting as the sovereign People, which was to contribute so much to the emergence of monarchy.

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[76] See Asconius, ed. Clark., 71.

[77] Z. Yavetz, *Plebs and Princeps* (1969); reissued with a preface by C. Nicolet and an avant-propos by the author, as *La plèbe et le prince: foule et vie politique sous le haut-empire romain* (1984).

C. NICOLET

LA *TABULA SIARENSIS*, LA PLÈBE URBAINE ET LES STATUES DE GERMANICUS.

Le fragment II,b, lignes 1–11, de la *Tabula Siarensis*[1] est désespérément lacunaire. Cependant, il y est très vraisemblablement question de statues (bien que ce mot n'y figure pas) offertes ou plutôt promises par la plèbe urbaine en l'honneur de Germanicus. Le premier éditeur n'a restitué, de manière déjà méritoire, que les lignes 7 à 11, sans les commenter longuement, mais en faisant le rapprochement, qui semblait s'imposer, avec *C.I.L.* VI,909[2] (p. 75).

Frag. II, col.b)

- - -]m
[- - - Ti(berio) Caesari Aug(usto) p]rinci
[pi nostro - - -]quod dies etiam
[- - -]ori et adlocutioni
[eius - - -]umque eius probare
[- - -]essent tribus urbanae et
[- - -]tur, pollicita esset; itaque place-
[re senatui uti pleps urbana statuas Germa]nici Caesaris cum veste triumpha-
[li publice poneret in eis templis atque in] eis ar<e>is publicis in quibus Divus Augus-
[tus et Augusta Druso Germanico patri eius pro]posuissent cum inscriptione plebis urbanae
[quinque et triginta tribuum, itemque car]men, quod Ti(berius) Caesar Aug(ustus) in eo ordine a(nte) d(iem) XVII K(alendas) Ian(uarias)
[de laudando Germanico mor]tuo proposuisset, in aere incisum figeretur loco publico
[quo patri eius] placeret; idque eo iustius futurum arbitrari senatum,

[1] Première édition: J. Gonzalez, F. Fernandez, "Tabula Siarensis", *Iura* XXXII, 1981, 1–36; ***editio princeps***: J. Gonzalez, "Tabula Siarensis, Fortunales Siarenses et municipia civium romanorum", *ZPE* 55, 1984, 55–100, part. p. 75–79. Ajouter (J. Gonzalez et J. Arce, éd.), Estudios sobre la *Tabula Siarensis*, Madrid 1988.

[2] = *ILS*, 176 (cf. ci-dessous, n. 28) (trouvée en même temps que *CIL* VI, 910 = *ILS*, 168): ***plebs urbana quinque et triginta tribuum.***

quod
[libellus Ti(beri)] Caesaris Aug(usti) intumus et Germanici Caesaris
f(ili) eius non magis laudatio

W. Lebek s'est à son tour[3] intéressé à ce passage, à la compréhension duquel il a fait faire des progrès importants. Il a, en particulier, très bien vu que les mots ... *quod dies etiam* de la ligne 3 sont une allusion au deuil spontané de la plèbe qui, au témoignage de Suétone, "se prolongea même pendant les fêtes de Décembre"[4], alors qu'il avait commencé dès la nouvelle sûre de la mort du Prince, au début de Décembre (Tac. *Ann.* II,82), avant la déclaration officielle du *iustitium*, le 8 Décembre. Lebek a bien vu également qu'il était peut-être question de la douleur (*dolor* ou *maeror*, l.4) de la plèbe[5], de discours (*adlocutioni/[bus]*,l.4–5) qui lui furent sans doute adressés; et invoquant à juste titre le parallèle du *S.C.* en l'honneur de Drusus, *C.I.L.* VI, 912 b (p.841) = 31200, b, 6–7, il a vu (comme je l'avais proposé moi-même en 1985) qu'il fallait lire, l.5 : *studi]umque eius probare* : j'y reviendrai.[6] Mais il a voulu d'une part, que la "promesse" de la plèbe concernant les statues (chose sûre) ait pris la forme d'un "*Volksbeschluss*" régulier, d'une *rogatio* qui se serait adressée à l' "ensemble des tribus urbaines et rustiques", qu'il appelle plus loin (p. 42) *concilium plebis*.

3] Quod dies etiam
4 [festos Decembris mensis insumere mitigando plebis urbanae maer]ori et adlocutioni
5 [bus continuis dolorem eius levare non dedignatus esset studi]umque eius probare

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[3] W. Lebek, "Schwierige Stellen des Tabula Siarensis", *ZPE*, 66, 1986, p. 31–48, spéc. 36–43; il est revenu sur le problème dans "Consensus universorum civium", *ZPE*, 72, 1988, 235–240.

[4] Suétone, *Cal.*, 6, 2: *non solaciis ullis, non edictis inhiberi luctus publicus potuit duravitque etiam per festos Decembris mensis dies.* Ce deuil spontané, en fait, durait encore en Avril 20, si bien que Tibère dut y mettre fin par un édit (Tac. *Ann.* III, 6). Le *iustitium* commencé spontanément (Tac. *Ann.* II, 82, 3) est sans doute distinct du *iustitium* officiel déclaré le 8 Décembre (Fastes d'Ostie, *Inscr. Ital.* XIII, 1, p. 185); cf. A. Fraschetti, "La Tab. Hebana, la Tab. Siarensis e il iustitium per la morte di Germanico", *MEFRA* 1988, 2, 867–889.

[5] Mais, comme me le suggère J. Stern, il pourrait s'agir aussi du mot *hon]ori*, très courant dans le contexte funéraire.

[6] *CIL* VI, 912 =31200, b, 6–7: *p]rinceps autem nos[ter... comproba]verit studium.* C. Nicolet, "Plèbe et tribus: les statues de Lucius Antonius et le testament d'Auguste", *MEFRA* 1985, 2, 799–839, spéc. p. 824–825.

6 [se edixisset, quod ea statuas Germanici Caesaris, cum ad]essent tribus urbanae et
7 [rusticae omnes et separatim singulae rogaren]tur, pollicita

D'autre part, il considère que c'est à cette occasion, et devant cette assemblée, que Tibère a "publié" (proposuisset, l.12), c'est-à-dire, pour lui, affiché (*der Art der Bekanntgabe ist... optische*) un *carmen* en l'honneur de Germanicus, cela à la date du 16 Décembre. Et c'est ainsi qu'il explique l'expression à vrai dire problématique de la ligne 11 : *in eo ordine* (66, 1986, p. 41–2; 72, 1988, p. 237–239). Le mot *ordo*, d'après lui, pouvant s'appliquer à un groupe tel que la plèbe urbaine.

Ce sont ces deux hypothèses que je voudrais discuter tout en rendant hommage à l'ingéniosité de leur auteur. Passons d'abord sur l'invocation surprenante d'un *concilium plebis* à cette époque: à la fin de l'époque républicaine, l'expression n'est employée, au sens technique, que pour désigner une assemblée de la plèbe convoquée par un tribun (Cic., *Vat.* 6; *ad sen.* 11; *de domo*, 79; *Sest.* 65; 75). Tite-Live ne l'emploie, bien évidemment, que pour parler des temps républicains.[7] Elle est significativement absente chez Tacite et chez Suétone. Mais la façon dont Lebek restitue les lignes 7–8 pour désigner cette assemblée est aussi étrange : *cum ad]essent tribus urbanae et/ [rusticae omnes et separatim singulae rogaren]tur.*

Un mot d'abord sur la longueur de la lacune et de la restitution. Si l'on reporte sur le bronze ou sur la photographie la longueur manquante de la ligne 7 sur des lignes complètes (à partir de la ligne 7), on constate que cet espace doit contenir 45 ou 46 lettres en moyenne. La restitution proposée n'en a que 39, elle est donc un peu courte. Ensuite, je ne connais aucun parallèle, sous l'Empire, à une phrase du genre de celle proposée: "alors qu'étaient présentes toutes les tribus urbaines et les tribus rustiques et qu'on leur demandait séparément à chacune". Telle qu'elle est proposée, avec le mot *rogaren]tur*, la restitution suppose une assemblée officielle, et même législative (puisqu'évidemment il ne s'agirait ni d'élections, ni de jugement). Inutile

[7] Normalement, dans la première décade (3, 18, 6; 7, 5, 5; mais cf. 6, 20, 11: *concilium populi*); 25, 4, 4, pendant la deuxième guerre punique, pour une assemblée judiciaire précisément convoquée par des tribuns; 39, 15, 11, même chose. Plus de trace de l'expression ni de la chose sous l'Empire.

de dire que nous n'avons aucune trace, nulle part, d'une telle procédure à l'époque impériale, en particulier dans le contexte de la mort des Princes. Tout au contraire, la *Tabula Siarensis* comme déjà la *Tabula Hebana* montre que le vote législatif qui intervient dans ces circonstances est un vote comitial, sur *rogatio* des consuls. Comme je l'ai montré ailleurs,[8] la distinction courante entre les 4 tribus urbaines et les 31 rustiques remonte à l'époque républicaine. Quand les écrivains de l'époque d'Auguste ou de l'Empire citent les *tribus urbanae*, c'est toujours dans un contexte antiquisant, pour remonter à un passé plus ou moins lointain (la censure de 220 ou de 169 par ex., Cic., *de Orat.* I, 38; Liv., *Per.* 20; XLV, 15, 1; XLV, 15, 3). Le contexte montre qu'alors on veut désigner par là les quatre anciennes tribus "topographiques" de la Ville, créées par Servius Tullius. Mais cette expression devient précisément obsolète à cette époque: les lexicographes (Festus, p. 506 L), les antiquaires (Varron, *LL* V, 45), les savants (Pline, *NH* XVIII, 13)[9] en parlent au passé, comme d'une curiosité archéologique. C'est parce que, à mon avis, depuis l'époque de César au moins, on a pris l'habitude de désigner par des expressions comme les "trente cinq tribus", ou même "les tribus urbaines" (Suétone, *Nero* 44, 2)[10] la plèbe urbaine ou romaine, c'est-à-dire les citoyens (qui peuvent appartenir à n'importe quelle tribu, urbaine ou rustique) qui habitent Rome. Lorsque Néron, en 69, tente de faire un *dilectus* parmi les "tribus urbaines" (*mox tribus urbanas ad sacramentum citavit*), ce n'est certainement pas pour le limiter à la Succusana, à la Collina, à l'Esquilina et à la Palatina, si populeuses qu'elles fussent. Suétone veut parler tout simplement d'un *dilectus* parmi la population de Rome; c'est ce que tentera aussi Vitellius (Tacite, *Hist.* III, 58, 8: *vocari tribus iubet*). Je crois donc que, dans notre texte, *tribus urbanas* désigne, à soi tout seul, l'ensemble des 35 tribus dans lesquelles était répartie la *plebs urbana*, qui apparaît elle aussi nommément deux fois; à la ligne 10: . . . *cum inscriptione plebis urbanae.* Et, implicitement,

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8 "Plèbe et tribus", *MEFRA* 1985, 828 et suiv., part. p. 833.

9 Festus, 506 L: *urbanas tribus appellabant*. . .; Pline, *NH*, 18, 13: *itaque quattuor solae erant*. . .

10 Suétone, *Nero*, 44, 2: *mox tribus urbanas ad sacramentum citavit.* Notons en outre que s'il s'agissait dans la *Tabula Siarensis*, par impossible, d'une convocation officielle des tribus (pour des *comitia*, non certes pour un *concilium*), il serait absurde d'imaginer qu'on précise *cum adessent*. . . *omnes*. Cela irait de soi!

entre la ligne 5 et la ligne 7, comme sujet (féminin singulier) de *pollicita esset*, et comme substantif auquel se rapporte le *eius* de la ligne 5 (*studium eius = plebis urbanae*).

A quel titre pouvait intervenir la mention des tribus urbaines et de la plèbe urbaine dans ce contexte? Seul l'examen des cas parallèles connus nous le dira peut-être. Mais auparavant, une remarque sur la ligne 7. Lebek a cru devoir restituer, à la fin de la lacune, le mot *rogan]tur*, qui l'a conduit à l'hypothèse peu acceptable que l'on a vue. Je crois qu'il faut autre chose. Regardons la suite en effet. Après la mention de la promesse de la plèbe, le *S.C.* introduit une décision du Sénat (1.7: *place/[re senatui*) qui elle aussi concerne à peu près sûrement des statues *"cum veste triumphali"* qui doivent être élevées "là où le Divin Auguste et... en avaient élevé..." (*posuissent*, 1.10).[11] Or cette décision est introduite par le mot *itaque*, (et non pas *item*): "c'est pourquoi". Elle est donc rattachée très fortement à ce qui précéde, elle *confirme* ce qui vient d'être dit. C'est donc sans doute que la plèbe demandait ou attendait cette confirmation. Je crois donc que la promesse de la plèbe a été (poliment) assortie d'une formule du genre: *si... videre]tur*, ou *ubi... videre]tur* dont nous avons la dernière syllabe conservée.

D'ailleurs, un parallèle frappant se trouve, à mon avis, dans le *S.C.* de 23, sur les honneurs funèbres de Drusus, si remarquablement comparable au nôtre.[12] Les lignes 6 à 9 des frgts. a et b:

6 p]rinceps autem nos-
7 [ter........ comproba]verit studium
8 p]lacere uti statuas eques-
9 [tris ibi fieret ubi principi no]stro videretur.

Il est question dans ce texte comme dans la *tabula Siarensis* "d'approuver le zèle", sans doute du peuple ou de la plèbe. Il est question aussi d'une statue équestre et d'une clause: "où il paraîtra bon" au Prince. Je crois que tel est aussi le mouvement de nos lignes 6–10. Mais je ne suis pas sûr qu'il s'agisse de se conformer à l'avis du Prince. Car le Sénat, dans sa décision énoncée aux lignes 7–11, décide en effet de faire placer ces

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[11] Il n'est pas nécessaire de restituer, 1.10: *pro]posuissent* qui se dit de la publication d'un texte, mais pas d'une statue.
[12] *CIL* VI, 912 = 31200 (déjà cité).

statues dans des lieux précis: *in] eis ar<e>is publicis in quibus*... Il n'en a pas, sur ce point, référé à Tibère.[13] Je me demande donc si la plèbe n'avait pas sollicité son avis, et je proposerais de restituer ligne 7: *ubi senatui* ou *ubi ordini nostro videre]tur.*

La mention du Sénat dans ces parages me paraît, d'ailleurs, présenter un autre avantage: celui d'expliquer peut-être les mots *in eo ordine.* Lebek a cru pouvoir affirmer qu'ils désignaient précisément cette assemblée de la plèbe. Mais d'abord, à supposer qu'*ordo* puisse s'appliquer à cette dernière,[14] on aurait dit, pour parler d'un document "montré" ou "publié": *ad* ou *apud,* non *in;* car de toutes manières Tibère ne pourrait être "dans cet ordre". Mais surtout, les exemples de *ordo* appliqués à la plèbe sont trop rares pour qu'on puisse comprendre ainsi. Spécialement à l'époque impériale. Un *ordo* est un groupe statutaire, constitué, au statut juridique précis. La plèbe romaine n'est énumérée après les *ordines* (sénateurs, chevaliers, juges, publicains, scribes, appariteurs, etc...) que pour l'en distinguer.[15] Bien sûr, Tite-Live parle de la *contentio ordinum* pour les luttes du patriciat et de la plèbe: mais c'est pour une lointaine époque, et il s'agit des luttes pour les magistratures. Le *pedester ordo* de 5, 7, 7 est polémique et métaphorique. Censorinus en revanche (15, 5) parle justement de "l'ordre plus humble de la plèbe", *ex humiliore plebis,* par opposition au Sénat.[16] Au contraire, *in eo ordine* se dit d'une action ou d'une parole dans un Sénat, par exemple dans la Table d'Héraclée (1.109; 127): *in eo ordine sententiam dicere ferre liceto.* Il est vrai que

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[13] Sur le rôle de Tibère dans l'élaboration des deux Sénatus-Consultes successifs mentionnés (mais non confondus, je crois) dans la *Tabula Siarensis,* cf. mon article "*La Tabula Siarensis, la lex de imperio Vespasiani et le ius relationis* de l'empereur au Sénat", *MEFRA* 1988, 2, 827–866.

[14] Lebek utilise les très rares références où *ordo* est associé à *plebs* réunies dans le *TLL,* IX, 1, 7, col. 962. Il est normal qu'on dise *libertinus ordo, ingenuorum ordo* (par. ex. 2 *Verr.* 1, 124), car ce sont les groupes de statut". Sur tous ces points cf. C. Nicolet, *L'ordre équestre,* I, 50; 165 et suiv.; II, 862; 1053; B. Cohen, "La notion d'*ordo* dans la Rome antique", *Bul. Assoc. Guillaume Budé,* 1975, 259–282; et (C. Nicolet, éd.), *Des ordres à Rome,* Paris, Public. de la Sorbonne, 1984, en part. p. 14, n. 18.

[15] Cf. B. Cohen, "*Some neglected ordines*", dans (C. Nicolet, éd.), *Des ordres à Rome,* p. 23–60.

[16] Censorinus, *De die natali,* 15, 5: *quis a te nasci aut ex amplissimo senatus ordine non expetiit aut ex humiliore plebi non optavit?* Intéressant: il y a donc des *ordines,* à l'intérieur du Sénat, comme de la plèbe. Sur l'intérêt de tout le passage de Censorinus pour la hiérarchie des *ordines,* cf. C. Nicolet, "Les *finitores ex equestri loco*", *Latomus* XXIV, 1970, p. 103.

dans ce cas on s'explique fort bien l'emploi du pronom *eo*, qui renvoie implicitement au Sénat (municipal) dont parle la loi (romaine).[17] Ce pronom, en revanche, fait apparemment difficulté pour désigner, dans un *S.C.*, le Sénat lui-même. On attend, dans ce cas, *in hoc* ou *in nostro.* C'est, par exemple, la façon de parler la plus courante de Cicéron. Cela va de soi, lorsqu'il s'agit pour l'orateur de parler de l'Assemblée telle qu'elle siège autour de lui. Mais, dans la *Correspondance* par exemple, et s'il a déjà mentionné le Sénat, il peut dire *"ab eo ordine" (Fam.* X, 27, 1). On peut donc, me semble-t-il, justifier le *in eo ordine* (même dans un *S.C.*) s'il a été fait allusion immédiatement avant au Sénat; c'est le cas sûrement à la ligne 8: (*place/[re senatui* ou *nostro ordini*), presque sûrement à la ligne 7: *(si senatui* ou *nostro ordini videre]tur.* Et peut-être même à la ligne 11. Car il y est question presque sûrement des textes qui devront accompagner les statues: *cum inscriptione plebis urbanae.* Si le Sénat a participé, d'une manière ou d'une autre, à cette opération, peut-être devait-il être mentionné: [*senatusque*... ou *consensus senatus, etc*..]. *In eo ordine,* dans notre texte, pourrait donc à la rigueur désigner le Sénat lui-même.[18]

Essayons, malgré l'ampleur des lacunes, d'aller plus loin, et de voir à quel titre et comment les *tribus urbanae* peuvent avoir été mentionnées en rapport avec la *plebs urbana.* Plèbe et tribus, depuis la fin de l'époque républicaine, peuvent être à la fois les objets de faveurs et les auteurs de mesures honorifiques. Bien entendu, la plèbe citoyenne (donc composée d'hommes inscrits dans les 35 tribus) peut être parfois désignée, par métaphore,

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[17] *CIL* I^2, 593 = *FIRA* I, n°13, 1.109 in *eo ordine* renvoie à *in senatu decurionibus conscreipteisque esto* qui précéde. L. 127, à *senatorem decurionem conscriptum esse.*

[18] W. Lebek, *ZPE,* 72, 1988, p. 239, n. 6, invoque le senatus-consulte de Larinum, 1.12 pour montrer que *ordo* peut s'appliquer à "einen nicht-senatorischen *ordo*" (ce qui bien sûr va de soi). Cependant, le passage invoqué ne me paraît précisément pas concluant. A la ligne 5, il est bien question de *eos qui contra dignitatem ordinis sui in scaenam*.. *[prodirent];* mais, ligne 12, c'est tout différent: (*neve quis eorum*)... *quibus sedendi in equestribus locis ius erat,* telle est la catégorie visée; on leur reproche d'avoir volontairement "dérogé" "*eludendae auctoritatis eius odrinis gratia*", "pour échapper à l'autorité de cet ordre". Il s'agit d'*auctoritas,* non de *dignitas.* C'est là, à mon sens, une allusion aux *S.C.* antérieurs mentionnés 1.6: *u(ti) s(ancitur) s(enatus) c(onsultis) quae d(e) e(a) r(e) facta essent superioribus annis. Eius ordinis,* je crois, désigne donc ici précisément le Sénat. Cf. B. Levick, "The senatus consultum from Larinum, *JRS* 1983, p. 99, qui traduit "for the sake of bringing the authority of that order to nought".

par des mots comme les "tribus" ou décrite comme répartie en tribus. Par exemple Tacite dira que les affranchis peuplent "la plus grande partie des tribus, des décuries, des bureaux des magistrats" etc... (*Ann.* XIII, 27, 3); ou que le peuple de Rome, aux funérailles de Germanicus, était "réparti en tribus (III, 4, 5); que "les tribus" vont à la rencontre de Néron (XIV, 13, 18). L'expression "les tribus" peut parfois encore désigner le peuple dans ses comices: *etsi potissima arbitrio principis, quaedam tamen studiis tribuum fiebant* (*Ann.* I, 15, 3). Il s'agit là d'un rappel de la répartition de la totalité du peuple ou de la plèbe, en une organisation qui avait encore, sous l'Empire, des fins précises. D'abord—et avant tout—comme signe et preuve de citoyenneté. Ensuite, pour les opérations comitiales: tant qu'on votera au Champ-de-Mars, même de façon purement formelle, ce sera selon une répartition par centuries et par tribus (Sénèque, *Epist.* 118, 3: *tribubus vocatis*). Enfin, pour la participation aux "bienfaits du prince" (*principalia beneficia*), congiaires et blé public, qui se faisait, comme l'a confirmé récemment C. Virlouvet,[19] par tribus. Mais précisément pour cette dernière sorte d'opérations, il ne s'agit plus de la totalité du *populus* romain, mais exclusivement de ceux des citoyens qui habitent Rome ou qui y sont nés, et qui composent donc la *plebs urbana.* Au plan purement administratif, cette plèbe (les citoyens résidant à Rome) est, depuis 7 avant J.C., organisée selon les 14 régions topographiques introduites par Auguste. Dans ce sens, l'expression *plebs urbana* désignera, normalement, l'ensemble des citoyens habitants de Rome. C'est à eux qu'Auguste, par exemple, distribuera en 5 av. J.C. un congiaire de 60 deniers par tête: ils étaient 320.000 (*RG*, 15, 2: *trecentis et viginti millibus plebis urbanae sexagenos denarios viritim dedi*). L'appellation *urbana* est d'ailleurs en ce cas nouvelle (pour des largesses semblables, mais antérieures, l'Empereur dit *plebei Romanae*), liée, je crois, à la création des régions. En −5 également, nous voyons cette plèbe urbaine "qui habite dans la XIII^e^ région" dédier peut-être une statue, *aere conlato*, à Caius César. S'y joignent sans doute les *[magistr]ivicorum* de la même région (*CIL* VI, 899 et 39207 = Degrassi, *SVA*, IV, p. 115). Mais en −2, c'est seulement à la "plèbe qui alors recevait le blé public, qui comprenait un peu

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[19] C. Virlouvet, *Tessera frumentaria, les procédures de distribution du blé public à Rome*, Thèse Paris I 1986, (multigraphiée), p. 533 et suiv.

plus de deux cent mille hommes" que l'Empereur a donné aussi 60 deniers (*RG* 15, 4).[20]

Mais quelques cas précis nous montrent que les tribus qui étaient, comme on le sait parfaitement, des organismes "corporatifs", pouvaient aussi agir, c'est-à-dire décider, offrir et recevoir chacune à titre collectif, c'est à dire indépendamment de leurs membres.[21] D'abord, un assez grand nombre d'inscriptions, en général d'époque flavienne, nous le montre directement. Telle tribu (ou telle fraction de tribu) offre une statue ou une dédicace à un Empereur, à la Paix d'Auguste, etc... Il est d'autre part souvent question du "vote", du *consensus* du *decretum* de telle tribu.[22] Nous voyons aussi que les tribus pouvaient posséder; elles acquièrent des terrains, elles ont des tombeaux collectifs: par exemple, l'inscription souvent citée, et parfois mal comprise, car on y voit à tort le "territoire" des anciennes tribus, *ILLRP*, 488: *iter privatum/ tribus/ Camilliae*, ou le tombeau de la via Salaria (*CIL* VI, 33992–996).[23]

Mais quelques épisodes sont encore plus probants. Le plus clair a trait au testament d'Auguste, souvent mal interprété. Suétone pourtant (*Div. Aug.* 101, 2) précise bien qu'en plus des 40 millions de sesterces légués *populo Romano*, Auguste en a légué 3.500.000 *tribubus*, "aux tribus". Tacite ne prend pas la peine de préciser, si bien que d'inutiles hypothèses ont été faites par les éditeurs ou commentateurs récents. Dion, en deux passages,[24] permet de comprendre; d'abord, il confirme le chiffre de 40 millions pour le peuple; puis il précise: 65 deniers par tête, ce qui donne le chiffre, parfaitement vraisemblable, de 153846 bénéficiaires. Il est donc clair que les 3.500.000 sesterces légués "aux tribus" ne pouvaient être divisés à ce tarif en un nombre de bénéficiaires individuels: il n'y aurait que 13461 membres des tribus—c'est parfaitement invraisemblable. Mieux vaut croire, à la suite de Juste Lipse,[25] que chacune des 35 tribus, à titre collectif et en tant que corps, a reçu 100.000 sesterces.

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[20] Tous ces faits (et ces témoignages) cités dans "Plèbe et tribus", *MEFRA* 1985, p. 832 et suiv.

[21] *Ibidem*, p. 813 et suiv.; Mommsen, *Droit Public*, VI, 1, p. 211–223.

[22] Par ex. *CIL* VI, 33993–33994 = *ILS*, 6054–6055.

[23] L. Ross Taylor, *Voting Districts*, p. 15; *Bul. Com.* 1941, p. 168 = *AE* 1948, 66 = *ILLRP*, 488.

[24] Dion, 56, 32, 2; 57, 14, 2.

[25] Juste Lipse, *Ad Ann. Corn. Taciti liber commentarius*, Anvers, 1581, p. 15–16; "Plèbe et tribus", cité, p. 812–813.

Une inscription sûrement, peut-être deux, nous montrent les trente cinq tribus intervenant, mais en tant que collectivités, dans l'offre d'une statue.

La première est en l'honneur de Titus. Elle a été trouvée près de l'arc de ce dernier (*CIL* VI, 943 = *ILS*, 6045):[26]

Imp. T. Caesari / divi f. / Vespasiano Aug. / plebs urbana / quae frumentum / publicum accipit / et tribus [XXXV].

La lacune, d'après Mommsen, n'a que 3 ou 4 lettres. *Urbanae* serait donc trop long. De plus, la similitude des situations (mais inversée) avec le testament d'Auguste est frappante. Titus est honoré à la fois par l'ensemble de la plèbe qui reçoit le blé, et par les tribus en tant que corps, qui se sont sans doute réparti les frais. Toute autre interprétation est en effet exclue. Si les *tribus* [. . . .] devaient désigner l'ensemble des citoyens qui composent les trente cinq tribus par opposition à la "plèbe frumentaire" (elle aussi dans les tribus, mais limitée par un *numerus clausus*), d'abord on aurait dit: *et tribuum*; et, dans ce cas, l'expression serait parfaitement amphigourique: l'un étant contenu dans l'autre, il aurait suffi de désigner le groupe le plus large. On pourrait d'autre part envisager un *et* explicatif: la plèbe urbaine qui reçoit le blé, *c'est-à-dire* les tribus (35). Mais précisément, bien qu'inscrits dans les tribus, les bénéficiaires du blé public n'en constituent pas tous les membres, mais seulement ceux qui, d'origine romaine, sont, de plus, acceptés (*incisi*, etc . . .), inclus dans le *numerus clausus*.

L'autre inscription est en l'honneur de Trajan.[27] Dédiée tout simplement par les "trente cinq tribus" "parce que, grâce à la libéralité du meilleur des princes, leurs avantages ont été augmentés, en particulier par l'adjonction de places (au Cirque)". Trois passages du *Panégyrique* de Pline (25; 28; 51) expliquent parfaitement cette inscription. Trajan a inscrit sur les listes des *frumentationes* cinq mille enfants de plus; il a fait distribuer un congiaire même aux tout nouveaux inscrits (25, 3); enfin, il a fait ajouter 5000 places

[26] Actuellement au Musée de Naples. Une inscription absolument jumelle, encore inédite, a été trouvée au même endroit, me signale S. Panciera. Mommsen, *IN*, 6786.

[27] *CIL* VI, 955 = *ILS*, 286. Grande base de marbre trouvée à l'angle N.O. du Circus Maximus: 1.8: *tribus XXXV quod liberalitate optimi principis commoda eorum etiam locorum adiectione ampliata sunt.*

(*loca*) pour la plèbe au Cirque (51, 5). Tous ces bienfaits concernent donc bien la plèbe, mais en tant qu'elle est répartie en tribus. Ces avantages sont, en particulier pour les sièges au Cirque, moins individuels que collectifs, comme l'explique très bien Sénèque pour les *loca equestria* (*Ben.* VII, 12, 4). Il est donc tout naturel que ce soit "les tribus" (chacune en tant que corps a dû payer sa part pour la statue) qui remercient le Prince.

Il se peut qu'on ait d'autres exemples, plus anciens, de telles activités "corporatives" des tribus. Dès 86 av. J.C., le peuple éleva des statues et rendit même une sorte de culte au préteur M. Marius Gratidianus pour son édit sur la monnaie. Statues qui étaient "*omnibus vicis*", dit Cicéron (*De Off.* III, 80; Sén. *De ira* 3, 18, 1: *vicatim*). Mais Pline précise: *statuerunt et Romae in omnibus vicis tribus* (34, 27). En 46, parmi les honneurs exceptionnels donnés à César, Appien note "des statues dans tous les temples et dans tous les lieux publics, dans chaque tribu, chez tous les peuples et chez tous les Rois alliés" (*BC* II, 106). On passe, dans cette phrase, de Rome et de l'Italie aux provinces. Mais, chez Appien, PHYLE a très normalement et majoritairement le sens de *tribu* romaine (cf. par ex. III, 94, pour la définition des curies). En 44, nous savons par le témoignage précis de Cicéron que L. Antonius, le frère du triumvir, alors tribun de la plèbe, fut honoré sur le Forum d'une statue équestre dorée dont l'inscription était: "*quinque et triginta tribus patrono*" (*Phil.* VI, 12; VII, 16). Les feintes indignations de Cicéron (qui fait semblant de croire que Lucius se veut le patron du peuple Romain tout entier), me portent à croire qu'il s'agit là, postérieurement aux reformes césariennes du recensement (Suétone, *César*, 41, 4), des "tribus urbaines", au sens que nous avons vu: les citoyens, de toutes tribus, domiciliés à, ou originaires de, Rome. Plus tard sous l'Empire (comme le montrent d'ailleurs les inscriptions que j'ai citées plus haut) l'habitude continuera. Peut-être Dion y fait-il allusion lorsqu'il parle (58, 2, 7) à propos des honneurs rendus à Séjan, de la foule des statues que le Sénat, l'ordre équestre, les tribus et les premiers citoyens lui élevèrent. Mais peut-être est-ce là une simple façon de désigner le peuple (cf. 7, 19, 4: les censeurs).

Nous sommes sûrs désormais, grâce à la *Tabula Siarensis*, qu'à l'occasion de la mort de Germanicus la plèbe (citée 1.10) et même les tribus urbaines (1.7) sont intervenues nommément, qu'elles

devaient offrir une ou des statues dont les inscriptions devaient mentionner au moins la plèbe urbaine. Or on connaît, depuis le XVII^e^ s., deux inscriptions de Rome qui semblent, à première vue, répondre tout à fait à cette indication. Trouvées au pied de l'Aventin, près de Sainte Sabine, elles sont aujourd'hui scellées dans le mur du *cortile* du Palazzo del Drago, aux *Quattro Fontane.*[28] Il s'agit de deux dédicaces, l'une à Germanicus, l'autre à Drusus: (*CIL* VI, 909–910):

> *pleps urbana quinque et / triginta tribuum / Germanico Caesari/ Ti. Augusti f. / divi Augusti n. / auguri, flamani Augustali, / cos. iterum, imp. iterum, / aere conlato.*

> *pleps urbana quinque et / triginta tribuum / Druso Caesari Ti. Aug. f. / divi Augusti n. / divi Iulii pronepoti / pontifici, auguri, sodal. Augustal. / cos. iterum, tribunic. potest. iter., / aere conlato.*

La dédicace à Drusus, le fils de Tibère, mentionne son second consulat (en 21) et sa seconde puissance tribunicienne, qu'il inaugura en Avril 23: ses *inferiae* eurent lieu le 14 Septembre (*Fasti Ant.*). L'inscription, en tout cas, est postérieure à Avril 23. La dédicace à Germanicus mentionne aussi le second consulat, en 18, et sa seconde proclamation impériale, en 17. Mais les éditeurs unanimes ont remarqué la similitude absolue des deux plaques de marbre, tout à fait jumelles. Ils ont donc supposé qu'elles ont été dédiées en fait en même temps, sur des supports jumaux, à l'occasion de la mort de Drusus. On aurait alors honoré en même temps la mémoire de ce dernier et celle de Germanicus. Certes rien dans le texte n'indique qu'il s'agit d'un honneur *post mortem:* mais ce n'est pas impossible, bien sûr. Si cette reconstitution est exacte, il faut alors renoncer à identifier formellement l'inscription en l'honneur de Germanicus avec celles dont il est question dans notre *S.C.* Bien entendu, il peut s'agir de quelque chose de similaire: Tacite (*Ann.* IV, 9, 2) dit qu'on a décerné à Drusus "les mêmes honneurs qu'à Germanicus", et nous avons vu que certains passages du *S.C.* voté à cette occasion rappellent singulièrement notre *Tabula Siarensis.* Mais il est question d'une *statua equestris* et cela semble peu convenir à nos deux inscriptions, qui n'ont que des dimensions vraiment modestes et, en

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[28] Anciennement *Palazzo Albani.* Cf. "Plèbe et tribus", cité, p. 825, n. 62. Corriger "Temple de Sabine" en "Sainte Sabine".

tout état de cause, ne sont pas des bases de statues!

Toujours est-il que la formule qu'elles offrent est intéressante: *plebs urbana quinque et / triginta tribuum*, en toutes lettres. Notre *S.C.*, lui, dit: *cum inscriptione plebis urbanae /* [. . .]. Quoique ce soit le seul cas où la plèbe des tribus soit appelée ainsi, cette formule rappelle bien évidemment celles invoquées ci-dessus: la plèbe urbaine et les tribus (pour le testament d'Auguste), la plèbe urbaine qui reçoit le blé public et les trente cinq tribus (pour Trajan). On comprend dès lors la restitution, tentante, de J. Gonzalez: [*quinque et triginta tribuum, itemque car*]*men.* Notons pourtant qu'avec 39 lettres, elle est trop longue. Si l'on devait garder la formule, il faudrait alors l'écrire: *V* et *XXX tribuum* ou *XXXV tribuum*, ce qui fait gagner 11 ou 13 lettres. Tout compte fait, et puisqu'il y a plus haut une mention certaine des tribus, c'est ce que je proposerai.

Restent les lignes 6 et 7. J'ai dit pourquoi je pense qu'on ne peut pas restituer, avec Lebek, *tribus urbanae et /*]*rusticae* . . . Les *tribus urbanae* sont d'abord intervenues, en tant que telles, corporativement—avec un verbe à l'imparfait du subjonctif, dépendant d'un *cum* ou d'un *quod*. Puis nous avons une relative ou une conditionnelle: *si* ou *ubi senatui videre*]*tur*; puis le verbe (au subjonctif plus-que-parfait, dépendant aussi d'un *cum*) dont le sujet ne peut-être que *plebs urbana* ou *ea*. Pourquoi pas, donc, quelque chose comme: *cum* . . .] *essent tribus urbanae et /* [*plebs urbana statuas equestres, si senatui videre*]*tur, pollicita esset?*

ZEEV RUBIN

MASS MOVEMENTS IN LATE ANTIQUITY – APPEARANCES AND REALITIES*

One feature of the series of crises that shook the Roman empire from the reign of Marcus Aurelius was the sporadic disruption of public order by vagrant bands of brigands whose activity is sometimes described in the sources as tantamount to spontaneous popular insurrections.[1] Such phenomena are attested both among the inhabitants of the big cities[2] and among the popula-

* It is my pleasant duty to express my profound gratitude to my friend and colleague Prof. Z. Razi, who discussed many points of this paper with me, and brought to my attention valuable studies such as Marc Bloch, *Slavery and Serfdom in the Middle Ages*, Los Angeles, 1975, and Perry Anderson, *Passages from Antiquity to Feudalism*, London, 1974. These were very valuable to me as background reading though I could not incorporate references to them in the footnotes which are quite cumbersome as it is. I am likewise immensely indebted to my friend and colleague Prof. Z.W. Rubinsohn, who not only illuminated me on many points relevant to the discussion, but also placed at my disposal a great number of monographs and offprints from the Soviet research literature which would have remained inaccessible to me otherwise. None of them is to be held responsible to the shortcomings of this paper. Ultimately I am cordially grateful to my wife Dr. Ephrat Habas-Rubin both for many helpful suggestions and for the proof-reading.

[1] General surveys of the relevant episodes are to be found e.g. in Ramsay MacMullen, *Enemies of the Roman Order*, Cambridge, Mass., 1966, pp. 163–241; C.F. Minor, *Brigand, Insurrectionist and Separatist Movements in the Later Roman Empire*, Diss., Univ. of Washington, 1971.

[2] See MacMullen *ibid.*, pp. 163–191. More specifically, see C.R. Whittaker, "The Revolt of Papirius Dionysius, A.D. 190", *Historia* 13 (1964), pp. 348–369. There is undoubtedly much truth in his thesis that many of the seemingly spontaneous urban mob-riots at the end of the 2nd and the beginning of the 3rd century were carefully planned and orchestrated by senatorial opponents of such emperors as Commodus, but his view concerning well organized factions, based on long-term ties of patron-client relations, at the core of such riots, seems rather exaggerated and anachronistic. Immense importance has been ascribed to *amicitiae* (more properly *factiones*) of *nobiles* and their *clientelae* by a central trend in the research of the late Republican period during most of the present century. It deserves a careful re-appraisal even for that period. It should have been the task of a scholar with good understanding of the mechanisms of mob-riots under the empire to re-assess the evidence adduced by Whittaker for the period covered by Herodian. To the best of my knowl-

tion of the countryside.[3] There has been a tendency during the present century to view them not only as a symptom of the disintegration of the Roman empire, but also as one of its main causes.[4]

Two kinds of felon groupings or subversive aggregates have attracted particular attention: Those known in Gaul and Spain as the Bagaudae,[5] and those known in the African provinces as the Circumcellions.[6] Their activity is documented between the end of the 3rd century and the middle of the 5th century or

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edge no such systematic re-assessment has so far been undertaken. See more recently Julia Sünskens Thompson, *Aufstände und Protestaktionen im Imperium Romanum etc.*, Bonn, 1990, pp. 95–134, with a guarded note of reservation against this theory on p. 108, and n. 41.

[3] MacMullen, *op.cit.*, pp. 192–241, more specifically, Sünskens Thompson, *op.cit.*, pp. 190–211.

[4] For a characteristic and concise presentation of the Soviet point of view, see M. Aplatow, "Eine neue Etappe in der Durcharbeitung des Problems: Der Übergang vom Altertum zum Mittelalter", *Geschichte in der Schule* 3, Heft 7 (1950), pp. 11–24; cf. A. Kotsevalov, Antičnoe *rabstvo i revoliutsii rabov v sovyetskoy istoricheskoj literature*, Institut po izučenyu SSSR, issledovaniya i materiali, ser. 1, vyp. 30, Munich, 1950, esp. pp. 30–51 for a survey and criticism by an emigrant from the Soviet Union. Further references to Soviet scholarship on the subject are to be found in MacMullen, *op. cit.*, p. 353, n. 9. Specific items will be referred to and discussed in the relevant places. Similarly a Western Marxist Scholar: E.A. Thompson, "Peasant Revolts in Late Roman Gaul and Spain", *Past and Present* 2 (1952), pp. 11–23 = M.I. Finley, *Studies in Ancient Society*, London, 1974, pp. 304–320 (references hereinafter are to the reprint in Finley).

[5] In general see O. Seeck, *RE* II, col. 2766; cf. *idem.*, *Geschichte des Untergangs der Antiken Welt*, vol. I (4th ed.) Stuttgart, 1921, rep. Darmstadt, 1966, pp. 23–24, 445–446; vol. VI (1st ed.) Stuttgart, 1920, rep. Darmstadt, 1966, pp. 115–116, 124. More specifically see MacMullen, *op.cit.*, pp. 208–216; Aplatow, *op.cit.*; Thompson, *op.cit.* More recently, John Drinkwater, "Peasants and Bagaudae in Roman Gaul", *Classical Views* 28-N.S.3 (1984), pp. 349–371; cf. *id.*, "Patronage in Roman Gaul and the problem of the Bagaudae", in Andrew Wallace-Hadrill (ed.), *Patronage in Ancient Society*, London and New York, 1990, pp. 189–203 (with some more references to recent literature).

[6] W.H.C. Frend, *The Donatist Church*, Oxford, 1952 (see index). MacMullen, *op.cit.*, pp. 201–209. More specifically, F. Martroye, "Une tentative de rěvolution sociale en Afrique', *Rěvue des questions historiques* 76 (1904), pp. 353–415; 77 (1905), pp. 5–53. For a critical survey of some Orthodox Soviet studies of this subject, see Kotsevalov, *op.cit.*, pp. 32–36. Of special interest are a study by the East German scholar, Th. Büttner, in Th. Büttner and E. Werner, *Circumcellionen und Adamiten*, Berlin, 1959, pp. 1–72, and one by the Soviet Scholar G.G. Diligenskij, "Voprosi istorii narodnikh dviženii v pozdnej Rimskoj Afrike", *Vestnik Drevnej Istorii*, hereinafter *VDI*, 2 (1957), pp. 85–105 (summarized and discussed by Büttner on pp. 71–72). Both these studies contain many valid insights which are not always in keeping with the super-imposed party line.

somewhat later. It has been described as part of an ongoing revolution that put an end to the slave-owning society of the ancient world and ushered in the age of feudalism.[7] It may indeed be tempting to point out some antecedents—particularly of the Bagaudae—as early as in the 2nd century. However, closer attention to the details of precisely these ostensible antecedents may serve as a note of caution against the tendency to treat a series of superficially similar, yet essentially distinct episodes as components of one general phenomenon.

One of these is Maternus' revolt, said to have broken out in Gaul under Commodus, an episode fantastically recorded by Herodian.[8] It may be described as a peasant revolt on the basis of some features of this poor historian's account.[9] A more probable interpretation of it is one that links it with a *bellum desertorum* cursorily referred to in the *HA*,[10] which may be related to an episode recorded by Dio.[11] Groups of deserters may well have been the subversive nuclei that unsettled and attracted, at the same time, various downtrodden elements of the population, not

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[7] See n. 4 above. Thus e.g. Büttner, *op.cit.*, p. 52 (not in perfect accord with what she has said a few lines above): "Eine gewisse zukunfttragende Komponnete vermag man jedoch allen sozial-religiösen Bewegungen, dahingehend abzugewinnen, dass sie beschleunigend zur Zersetzung der Sklavenhalterordnung beitrugen und damit Barbaren und schliesslich neuen gesellschaftlichen Normen den Weg ebenten; cf. Diligenskiy, *op.cit.*, pp. 99–100.

[8] Herodian, I.10.1–7.

[9] A.D. Dmitrev, "Dvihenže Bagaudov", *VDI* 1943, 3–4, pp. 101–111, and specifically on Maternus, pp. 102–104, with a colourful and totally arbitrary elaboration of Herodian's account, followed by Aplatow, *op. cit.*, p. 18, for whom Maternus is a "Bagaudenführer", and the ultimate end of his movement is "die Vernichtung der gesellschaftlichen und politischen Verfassung der Sklavenhalter"; likewise Thompson, *op.cit.*, p. 309, for whom Maternus' story is "the first known act in the long tale of the Bacaudae".

[10] *HA*, *V. Comm.* 16.2; *V. Pesc. Nig.* 3.4.

[11] Dio 73(72).9.2a–4. According to this version the fall of Perennis was caused by the arrival in Italy of 1500 soldiers who had left their post in Britain, sent by their comrades in arms, to inform Commodus of his treacherous plans. For the possibility that they belonged to a detachment operating in Armorica to suppress brigandage committed by bands of deserters and runaway slaves, see Anthony Birley, *Septimius Severus, the African Emperor*, London, 1971, pp. 121–122. It ought, however, to be observed that the unauthorized expedition of such a delegation to Italy was tantamount to desertion in itself (according to Dio, soldiers in Britain continued to be unruly until put down by Pertinax); and the question how they maintained themselves on their voyage to Italy, through Gaul, would lead us to one obvious answer—once again brigandage. See also n. 16 below.

least among which were *coloni* and runaway slaves.[12] Yet their own purposes were hardly the improvement, let alone the transformation of the existing social order. According to Herodian, Maternus' revolt culminated in an attempt on Commodus' life, and a bid for the imperial throne.[13] Pieces of information unique to Herodian are always suspect.[14] One group of deserters, organized as a robber band not unlike the ones that were led by Bulla Felix and Claudius under Septimius Severus, may have dodged the military forces sent to suppress the insurrection in Gaul, and may have found its way into Italy, led by a Maternus.[15] If such a group was used at some stage by Commodus' opponents in an attempt to overthrow his rule, this may have given rise to the erroneous description of its goal by Herodian as an attempted usurpation.[16] On the other hand an abortive usurpa-

[12] Herodian asserts that Maternus' big force of criminals (κακοῦργοι; *ibid.* 1) initially plundered the countryside before it dared to attack the towns. He says, however, nothing explicit about the social background of those who joined his band of deserters.

[13] Herodian, *ibid.*, 3; καὶ περὶ βασιλείας ἤδη καὶ μειζόνων πραγμάτων ὁ Μάτερνος ἐβουλεύετο.

[14] See E. Hohl, "Kaiser Pertinax und die Thronbesteigung seines Nochfolgers im Lichte der Herodiankritik", *SDAW*, Berlin, 1956, Nr. 2.3, p. 26: "Aber diejenigen Unika die den Stempel Herodians tragen, erfordern grundsätzlich keine geringere Vorsicht (sc. than pieces of information unique to the *HA*). See also Z. Rubin, *Civil-War Propaganda and Historiography*, Bruxelles, 1980, pp. 83–92. It is perhaps significant that both Dmitrev and Aplatow reject Herodian's account of Maternus' attempted usurpation as a legend, in spite of their uncritical acceptance of all its other details, without any attempt to justify this procedure. E. Hohl, "Kaiser Commodus und Herodian", *SBAW*, Berlin, Nr. 1.3, pp. 17 ff., who doubts the very existence of Maternus, still regards a *bellum desertorum* as the historical kernel of the whole episode.

[15] On Bulla (Felix), see Dio 77 (76).10.1–7. Thompson, *ibid.*, pp. 309–310 adduces this episode as a foil to the Maternus affair (Bulla being dismissed as a mere kindly robber, whereas Maternus is paraded as a truly revolutionary leader). It is still significant that it is none other than Bulla, who, according to Dio (*ibid.*, 5), expressed some awareness of the slaves' plight which was conducive to the spread of brigandage (ἄγγελλε τοῖς δεσπόταις σου ὅτι τοὺς δούλους ὑμῶν τρέφετε, ἵνα μὴ ληστεύωσι). On Claudius, see Dio 75.2.4. This affair may help to shed some light on another, that of Numerianus; see Dio 76 (75).5.1–3, and cf. Rubin, *op. cit.*, pp. 77–78. In spite of the rejection of my interpretation of Numerianus as a brigand, used by Severus against Albinus, by A. Birley, *Septimius Severus*, 2nd ed., London, 1988, p. 248, n. 6. I still believe that a lot can be said in its favour; cf. also Sünskens Thompson 196, n. 2, who is not totally decided on this point.

[16] That Maternus' venture started in his desertion from the army together with some of his comrades is stated by Herodian himself (*ibid.*, 1): τήν τε τάξιν λιπὼν καὶ πείσας ἑτέρους κτλ. That this was how the whole affair started

tion may have been the very cause of desertion from the provincial armies of Britain and the Germanies, when it turned out that the bulk of these armies kept its faith to Commodus' regime.[17]

Another episode that might give rise to misunderstanding is the revolt of the Boukoloi (Bucolici) in Egypt led by a certain Isidorus and put down by Avidius Cassius in 172–173.[18] The Boukoloi are a favoured theme of Greek novelists, and there is an understandable temptation to identify this outlaw population of the Nile Delta, so vividly depicted by the novelists Xenophon of Ephesus, Heliodorus, and Achilles Tatius[19] with the rebels whose menace required the creation of a special command under one of Marcus Aurelius' most capable generals. Significantly, however, these insurgents are described in the *HA* as *Bucolici milites*.[20] The word *milites* would hardly have been applied just to gangs of disorganized rustics. Insurgent units of the Roman army,

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is not denied even by such scholars as Dmitrev (*op.cit.*, p. 103) and Thompson (*op.cit.*, p. 306), but the conception of "a dangerous uprising of the submerged classes of Gaul and Spain ... an organization which operated from Gallia Lugdunensis down to Spain for a number of years" (Thompson, *ibid.*, p. 307, Dmitrev, *ibid.*, pp. 103–104) shatters, if Herodian's version of one big enterprise, led by one man, is rejected. For the possibility that subversive organizations would be used by the senatorial opposition against such a reigning emperor as Commodus, see n. 2 above.

[17] Dio, *ibid.*, 2[a], records an attempt by the troops in Britain to elevate the legate Priscus to the purple. The initiative was turned down by Priscus himself. If *HA, V. Comm.* 6.2 is to be credited, stringent disciplinary measures taken by Perennis (the replacement of senatorial by equestrian legates) gave rise to a series of repercussions that terminated in his downfall. See Birley, *op.cit.*, pp. 121–122 for a plausible explanation of the developments from the abortive proclamation of Priscus to the arrival in Italy of the military delegation that brought about Perennis' collapse. In the conditions that emerge from the scattered bits of information in the sources, the Priscus affair may not have been the only case of an initiative taken by a provincial army against Commodus.

[18] Dio 72 (71).4.1–2.

[19] Xenophon, *Ephesiaca*, III.12; Heliodorus, *Aethiopica*, I.5 onwards, where the marauding inhabitants of the so-called *Boukolia* is a central theme (the incessant strife between different bands of these bandits deserves a special mention); Achilles Tatius, *Leucippe et Cleitophon*, III.9–19.3. On which see E. Rhode, *Der Griechische Roman und seine Vorläufer*, 3rd ed., Leipzig, 1914, pp. 409–517, esp. pp. 420, 480. See also F. Altheim, *Literatur und Gesellschaft im ausgehenden Altertum*, Halle/Saale, 1948, I, pp. 95–124.

[20] *HA, V. Marc.*, 21.2; *V. Av. Cass.*, 6.7: The *Vita Avidii Cassii* transmits this piece of information under the authority of Marius Maximus. Citations of Marius Maximus in the *HA* ought to be taken seriously, even when they occur in a *Nebenvita*; cf. Rubin, *op.cit.*, pp. 138–141; cf. G. Zecchini, review of the foregoing item, *Aevum* 57 (1983), p. 151.

putting their hand to robbery, and vilified in imperial propaganda as Boukoloi (a term, apparently signifying atrocious gangsters in everyday usage among Greek speakers in Egypt) may be a not incorrect description of their nature.[21] Of course, they, too, may have attracted peasants anxious to avoid military conscription, shepherds, and runaway slaves, but on the whole it would be a gross exaggeration to regard the episode as a spontaneous peasant revolt in the Egyptian *Chora*, or as an outburst of Egyptian nationalism against Roman rule.[22]

Through the mists that shrowd the history of the Roman empire during most of the 3rd century, one particular episode may be pointed out in which local peasants presented themselves in a para-military body not against the Roman empire, but against a foreign invading power. According to John Malalas the advance of Shapur I's army in the area of Emesa (apparently during his third invasion of the Roman empire) was checked when a resounding defeat was inflicted on it by rustic slingers (ἄγροικοι; σφενδόβολοι) from the neighbourhood, called up by the dynastic priest, Sampsigeramus.[23] The not unlikely identifica-

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[21] The revolt broke out when Boukoloi, disguised as women, assassinated a centurion who expected them to bring him money on behalf of their husbands. Dio, *ibid.*, 1 is not explicit about the nature of this payment. Mommsen, *RG* V, p. 581, assumed it was a kind of ransom for imprisoned brigands, but cf. Ramsay MacMullen, "Nationalism in Roman Egypt", *Aegyptus* 44 (1964), p. 84, who does not exclude the possibility that the people to be ransomed were conscripts. See also A. Baldini, "La rivolta bucolica e l'usurpazione di Avidio Cassio", *Latomus* 37 (1978), pp. 634–678, esp. pp. 644–645. For the recruitment to II Traiana in the Egyptian *Chora*, see, Ritterling, art. "Legio", *RE* XII, col. 1488 and cf. G. Forni, *Il reclutamento delle legioni da Augusto a Diocletiano*, Milan & Rome, 1953, pp. 95, 219–220. Evasion of military service by paying ransoms and desertion from the army are obviously two closely interrelated phenomena.

[22] In Soviet research literature, see A. Dmitrev, "Bukoli", *VDI* 1946, 1, pp. 92–100, refuted by Kotsevalov, *op.cit.*, pp. 30–32. For a somewhat exaggerated view of the troubles caused by the Boukoloi, see Minor, *op.cit.*, pp. 19–27. Even the revolt of 172–3 which appeared quite menacing at the outset was subdued by Avidius Cassius easily enough, first and foremost thanks to internal discord among the insurgents themselves (Dio, *ibid.*, 2, and cf. n. 19 above for the disunity characteristic of the Delta robber-bands, as depicted by Heliodorus).

[23] Malalas XII, *CSHB*, pp. 296–297 (= *PG* 97, coll. 448–449); cf. Michael H. Dodgeon & Samuel N.C. Lieu, *The Roman Eastern Frontier and the Persian Wars*, London & New York, 1991, pp. 54–56, cf. nn. 30–31 *ad loc.* on p. 364; see also Elizabeth Jeffreys *et al.*, *The Chronicle of John Malalas, a Translation*, Melbourne 1986, pp. 162–163.

tion of this Sampsigeramus with the numismatically attested Emesene usurper L. Iunius Aurelius Sulpicius Uranius Antoninus[24] may shed some light on the genesis of at least some other of the many usurpations attested during that period. The failure of the central government to provide defence against foreign invasion would induce some locally influential personality to take the initiative in an attempt to beat it back. Some of the requisite measures, chiefly that of drafting an army on a local basis, appeared to be more effectively practicable by a man of imperial status. Hence, a local enterprise to put a usurper on the throne. One may ask how such an enterprise would have been depicted in official propaganda if the timely arrival of a regular army had dealt successfully both with the foreign threat and with the challenge to central authority posed by the usurper. Much seems to depend upon the circumstances.[25] It will be argued in the sequel that not every pretender to the throne deserved to be "recognized" even as such, and to be labelled *tyrannus*. Any local enterprise that did not enjoy the support of a substantial regular military power would most probably be dismissed as a flare-up of brigandage. Modern scholars might then take their cue from such an account as that given by Malalas of Sampsigeramus' rustic slingers and regard it as an incipient revolution.[26]

[24] On the Emesene dynasty from which Sampsigeramus claimed descent, see R.D. Sullivan, "The Dynasty of Emesa", *ANRW* II.8, pp. 198–219. On his identification with the usurper Uranius Antoninus, see H.R. Baldus, *Uranius Antoninus. Münzprägung und Geschichte*, Bonn, 1971, pp. 235–236; some reservations are expressed by W. Felix, *Antike literarische Quellen zur Aussenpolitik des Sasanidenstaates*, Vienna, 1985, pp. 61–63, who does, however, describe it as "nicht unwahrscheinlich"; cf. also Dodgeon & Lieu, *ibid.*, p. 364, n. 30.

[25] Thus for example, the coins of Uranius Antoninus indicate a retreat from his initial high pretensions to a somewhat humbler position; this may be the consequence of some kind of a compromise worked out between himself and Valerian's representative; see R. Delbrueck, "Uranius of Emesa", *NC*, 6th ser. 8 (1948), pp. 10–29, esp. p. 28.

[26] For a variety of terms applicable to usurpers, see Ramsey MacMullen, "The Roman Concept of Robber-Pretender", *Révue international des droits de l'antiquité* 10 (1963), pp. 221–225. An awareness of the difference between *tyrannus* and *latrunculus* as terms applicable to imperial pretenders, see *HA*, *Quad. Tyr.* 2.1–4; the imaginary debate contained in this passage; the totally bogus discussants; and the blatantly false edict of Aurelian referred to; all these do not invalidate the assumption that the distinction it draws reflects current attitudes during the 3rd and 4th centuries.

Some regions in the vast Roman empire were rendered more susceptible to the sustained activity of robber bands by their geography than others. The area of Isauria and rough Cilicia is a notorious example. There can be little doubt about the genuine economic plight that drove many of its inhabitants to brigandage. In other provinces where common people in the countryside suffered similar hardships brigandage never turned into such an endemic phenomenon. It might flare up occasionally in any province, but wherever the terrain rendered itself to better military control it would be swiftly quelled. The harsh lot of peasants in the area under discussion was compounded with the fact that its nature contributed to the preservation of many of their ethnic characteristics. The robber bands that they formed might therefore be described as germinating ethnic revolts. It has, however, been aptly pointed out that their activity was hardly a spontaneous response to their economic destitution. It may be added that it was even less an expression of any kind of national sentiment, however, vague and inarticulate. At the core of these bands the hand of local magnates is clearly discernible, hellenized to a certain degree themselves, and playing the double role of local crime lords and keepers of public order.[27]

As already stated, the Bagaudae in Gaul and Spain and the Circumcellions in Africa, have received special attention. The prevailing view is still that in both these cases we are concerned with insurrectionist movements of social protest against the oppression of the Roman government and the provincial upper classes. The distinction drawn by such scholars as Dmitrev and Thompson between plain brigandage and these so called movements is still widely, if implicitly, subscribed to. They are still

[27] On Isauria, see John Matthews, *The Roman Empire of Ammianus*, Baltimore, 1989, pp. 355–367. More specifically, K. Hopwood, "Policing the hinterland: Rough Cilicia and Isauria", in S. Michell (ed.), *Armies and Frontiers in Roman and Byzantine Anatolia*, *BAR*, International Ser. 156 (1983), pp. 173–187; *Id.*, "Towers, territory and terror: how the East was held", in Philip Freeman and David Kennedy (eds.), *The Defence of the Roman and Byzantine East*, *BAR*, International Ser. 297 (1986), pp. 343–356; *id.*, "Consent and Control: How the Peace was kept in Rough Cilicia", in D.H. French and C.S. Lightfoot, *The Eastern Frontier of the Roman Empire*, *BAR*, International Ser. 553 (i) (1989), pp. 191–201 and especially *id.*, "Bandits, elites and rural order", in Andrew Wallace-Hadrill, *op.cit.*, pp. 171–187. The ethnic-tribal character of Isaurian banditry is emphasized by Minor, *op.cit.*, 80–117. The situation in Isauria may be compared with that in Palestine and in Arabia; see B. Isaac, "Bandits in Judaea and Arabia", *HSCP* 88 (1984),

thought to be distinguishable by their long duration, by the wide areas they affected, and by a leadership whose conscious purpose was to supersede the existing order.

The few examples cursorily touched upon above are enough to pose a number of questions. Two in particular deserve a special attention. First, if such terms as *latrones* or *latrunculi* could cover a range of phenomena, why not the terms *Bagaudae* and *Circumcelliones*? And second, is the tendency to ascribe to their leaders far-reaching revolutionary programs based on any explicit statement to this effect in any existing source, or rather on hypothetical inferences from some features of their activity?

There is therefore some justification for a fresh look at both these movements, with more attention to the relation between reality and hostile propaganda, fact and pejorative terminology, isolated occurrences and general currents of development. As for the second question in particular, a brief glance beyond the confines of the Roman Empire, at Sasanian Persia, in the turn of the 5th century, may prove of some help. For it is there that we have evidence of a movement to which sweeping programs of social revolution are explicitly attributed by a number of sources.

a. *The Bagaudae*

The earliest explicit attestation of the Bagaudae under this name belongs to the later part of the 3rd century. A siege laid to the city of Augustodunum (Autun) by the Bagaudae is mentioned in a petition made by the orator Eumenius to the *praeses* of the province in 297 to grant permission for the restoration of the old school in his city. Its inhabitants, he reminds the governor, had appealed for imperial aid when it was *latrocinio Bagaudicae rebellionis obsessa.*[28] To judge by Eumenius' phraseology the inter-

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pp. 201–203. For the denunciation of Zealots during the first Jewish revolt against Rome as λῃσταί, see *ibid.*, pp. 176–177. On possible social causes of this revolt, see also M. Goodman, *The Ruling Class of Judaea,* Cambridge, 1978, pp. 14–25. For an attempt to classify the Bar Kokhba revolt as a predominantly peasant uprising, see S. Appelbaum, "Prolegomena to the Study of the Second Jewish Revolt, its Extent and Effect", Jerusalem, 1991 (in Hebrew), pp. 59–80.

[28] *Paneg. Lat.* 9(4).4.1. The reading *Bagaudicae* is based on the edition of Johannes Livineius (1599) apparently following a suggestion made by Justus Lipsius, in his commentary on Tacitus' *Annales* published in 1581; the lost *Codex Moguntinus* had, judging by its derivatives, *Batavice,* which is obviously

changeability of the concepts of brigandage (*latrocinium*) and Bagaudic uprising was well established already at this stage.[29]

More details about the event referred to by Eumenius are forthcoming in two fourth century epitomes, that of Aurelius Victor and that of Eutropius.

According to Aurelius Victor,[30] Diocletian, just established in power, was informed of a wave of devastations and depradations in the countryside of Gaul, caused by bands of peasant-robbers, organized and led by Helianus (Aelianus) and Amandus. These bands were known to the local population as Bagaudae. It was the threat posed by the Bagaudae that induced Diocletian to nominate Maximian as co-regent.[31]

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erroneous. It ought to be noted that Livineius made use of extracts from another lost MS, the *Codex Bertinensis*, prepared by Franciscus Modius. This manuscript, which appears to have been closely related to the Moguntinus, did nevertheless sometimes transmit better readings. The rejection of this reading by P. Le Gentilhomme, "La désastre d'Autun en 269", *REA* 45 (1943), pp. 233–240, who restores the MS reading (followed in the edition of the *Panegyrici Latini* by E. Galletier) is inconclusive and not convincing. Indeed the very assumption that *Paneg. Lat.* 5(8)2.4–5; 4.2–4, and *ibid.* 9(4).4.1, refer to the same event, the siege and capture of Autun by rebels in 269, is not sufficiently founded, and requires further examination. Yet on this assumption are based both the contention of Dmitrev, "Dviženie Bagaudov", *VDI*, 1940, 3–4, pp. 105–106 (according to whom the siege of 269 was laid to the city by Bagaudae), and that of A.R. Korsunskij, "Dviženie Bagaudov", *VDI* 1957, 3, pp. 73–74, refuting him on the basis of Gentilhomme's hypothesis.

[29] I prefer the form *Bagaudae* to *Bacaudae* in spite of Thompson's observation (*op.cit.*, p. 304) that there is little MS evidence for the former. Thompson himself (*ibid.*, p. 305, n. 3) cites the Teubner text of Aurelius Victor (ed. Fr. Pichlmayr, rev. R. Gründel), where the form *Bagaudas* is based on Andreas Schottus' reading of the *Codex Oxoniensis* and the *Codex Bruxellensis*. The preference of most modern scholars (text editors and historians alike) for the form Bagaudae springs mainly from the fact that it seems to make more sense as a combination of the Celtic *baga* (war) and the suffix *auda*, which would carry the meaning of "warrior" or "fighter"; cf. Seeck, *RE* II, col. 2766, and Minor, *op.cit.*, p. 118.

[30] *Caesares*, 39.17.

[31] The Bagaudae are described by Victor as a *manus agrestium ac latronum*. On the other hand, Maximian himself is depicted as *semiagrestis*. This ought to be a reminder against overhasty conclusions about the social background of the Bagaudae and the nature of their activity on the basis of such terms. Just as Maximian was not necessarily a "half-peasant" by origin, and the term *semiagrestis* may be an unfriendly way of describing his disposition and his manners, the Bagaudae's description as *agrestes* and *latrones* may also be the reflection of hostile propaganda. See further the cautionary remarks of J. Drinkwater, "Peasants and Bagaudae in Roman Gaul" *Classical Views* 28, N.S. 3 (1984), pp. 349–371, esp. 349– 358, concerning the social background of the Bagaudae. See also Sir Ronald Syme, *Emperors and Biography*, Oxford, 1971, p. 226, on the epithet *armentarius* applied to Galerius.

Eutropius account[32] is identical in content with that of Victor, and differs from it only in wording and nuance. He describes the episode as a *tumultus*, stirred up in Gaul by *rusticani* (cf. Victor's *agrestes*); according to him the name Bagaudae was their self-chosen name, rather than one given to them by the local population (*factioni suae Bacaudarum nomen imponerent*).

Both these sources agree that the Bagaudae were easily put down by Maximian: in easy skirmishes (*levibus proeliis*), says Eutropius; within a short time (*brevi*), says Victor.

A common source is indicated. As a matter of fact it appears to be none other than the so-called lost *Kaisergeschichte* (*KG*), the common source for most of the imperial history in both Victor and Eutropius, whose existence was brilliantly demonstrated by A. Enmann in 1884, and which has since proved to be a key stone in the study of the Latin sources for the 3rd and early 4th centuries.[33] The term *Kaisergeschichte* is a misnomer. The work whose outlines emerge from Enmann's study was rather a series of brief and frequently inaccurate imperial biographies. Its further abridgements by Victor and Eutropius add inaccuracies and misunderstandings of their own. Caution is imperative when dealing with such sources.

Thus for example much significance may be ascribed to Eutropius' statement that the Bagaudae themselves chose the name for their movement. This might indicate an advanced level of consciousness of a common cause, whatever the true form of the name. Victor, however, appears to have understood their common source in a totally different manner. According to him Bagaudae is the term used by the local population to denote the phenomenon of marauding villagers (*quos Bagaudas incolae vocant*; the present tense of the verb does not allow to determine a given moment when this particular epithet had become prevalent).[34] As indicated above, at least one antecedent of Bagaudae·upheavals, namely Maternus' revolt, has been pointed out already in the 2nd century. It is important to stress again that his identification as a Bagaudae leader rests entirely on modern speculation. Various attestations of brigandage in Gaul during the 4th century have likewise

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[32] *Breviarium* 9.20.3.

[33] A. Enmann, "Eine verlorene Geschichte der römischen Kaiser", *Philologus* supp. 4 (1884), 335–501. See esp. T.D. Barnes, *The Sources of the Historia Augusta*, Bruxelles, 1978, pp. 90–97.

[34] See Minor, *op. cit.*, p. 118, with further references on p. 153, nn. 4–5.

been described as Bagaudae outbursts. This will be discussed in the sequel, but it ought to be pointed out already here that this description too is the outcome of modern speculation. The sources at any rate do not mention the term Bagaudae with any of them. This term is encountered only in the sources for the reign of Diocletian on the one hand, and again in those for the history of Gaul and Spain in the 5th century on the other. True, it may have been in use in everyday parlance, but it is likewise true that correct understanding of what it refers to must be gained on the basis of sources that mention it explicitly. It is easy to create the impression of a great revolutionary movement spanning nearly two centuries (or more) on the basis of arbitrary statements. It is not as easy to substantiate them on the basis of what the sources actually say.[35]

What was the true nature of the Bagaudae insurrection under Diocletian?

One major problem posed by the two sources dealing with it (The Chronicle of Jerome and Orosius go back to the same source and add nothing significant)[36] is the discrepancy between the far reaching measure taken by Diocletian in order to reduce the Bagaudae—no less than the nomination of a co-regent—and the swift and easy victory he won.[37] This may be explained in two possible ways. One explanation is that the *KG* tradition is correct, but the corollary would then be that Diocletian grossly overestimated the strength of the movement and its threat to the empire. Another is that the author of the *KG* somehow got it wrong; that there were other, much weightier reasons for Maximian's appointment and the suppression of the Bagaudae was only one of his less important tasks.

Other sources referring to this affair are even more obscure than the *KG* tradition (for one thing, not all of them use the term Bagaudae). On closer attention they, however, yield a few further data which help to decide between these two possibilities.

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[35] See also Minor, *op. cit.*, p. 121.

[36] Jerome, *Chron.* a. 2303; Orosius, *Adversus Paganos* 7.25.2

[37] Korsunskij, *op. cit.*, p. 75: "The sources reveal that Maximian succeeded in quelling the rebellion rapidly and without special difficulty" (my translation). This is not the least admission by this notable Soviet scholar, who nevertheless ultimately manages to bring his own, more realistic reconstruction into line with the Marxist doctrine.

Some information about Maximian's military activity in Gaul is forthcoming in three *Panegyrici*, two of them in praise of Maximian, from the pen of Mamertinus, and one directed to Maximian and Constantine jointly, by an anonymous orator. None of them mention the Bagaudae explicitly, and it is only with some effort that they can be identified behind the verbiage characteristic of the genre they use.

The first passage is a piece of adulatory rhetoric fraught with internal contradictions.[38] It opens with a great flourish. The image of Maximian as Hercules, assisting Diocletian as Jupiter, in the war against the giants, alludes to the imperial titles of the two emperors, Herculius of the former and Jovius of the latter. Yet from this ornate imagery the passage soon declines into a dissonant anti-climax when the rebellious *monstra biformia* turn out to be miserable peasants, trying in vain to pose as a military power,[39] and won back to loyalty through a show of leniency, rather than reduced to submission through the use of force (*nescio utrum magis fortitudine repressum sit an clementia mitigatum*). Ultimately it becomes evident that the emperor himself is far from regarding this victory as a feather in his cap, and that the orator is fully aware of this fact (*quod ego cursim praetereo; video enim te, qua pietate es, oblivionem illius victoriae malle quam gloriam*).

In his other speech Mamertinus goes rapidly through a whole series of Maximian's victories. It contains a reference to provinces that had rebelled because of past injuries (*saeculi prioris iniuriis*) and were restored to obedience thanks to the emperor's

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[38] *Paneg. Lat.* 10(2).4.1–3.

[39] According to Dmitrev, *op. cit.*, p. 107: "in less than a month the Bagaudae organized an armed force modelled upon the Roman army" (my translation). This is not warranted by Mamertinus' words: *cum militaris habitus ignari agricolae appetiverunt, cum arator peditem, cum pastor equitem, cum hostem barbarum suorum cultorum rusticus vastator imitatus est* (Minor's English translation, *op. cit.*, p. 121 fails to bring out the full sense of these words: *militaris habitus* is clearly the accusative plural, and thus it is the object of *appetiverunt*, not an adverbial phrase qualifying *ignari*; hence the translation: "When ignorant peasants masqueraded in military uniform"; this is preferable to Minor's: "when farmers unfamiliar with weapons turned bellicose". In the sequel a single verb, *imitatus est* serves as the predicate in three rhetorical colones: "The ploughman (imitated) the infantry soldier, the shepherd (imitated) the horseman, and the villagers *imitated* the barbarians in devastating their own fields". All that can be extracted from these words is that behind the very transparent façade of a military organization the people described by Mamertinus remained in essence, and acted like, barbarian hordes.

clemency (*per clementiam ad obsequium redisse provincias*).[40] Neither Gaul nor the upheavals it suffered at the beginning of Diocletian's reign are explicitly mentioned, but the meaning is perfectly clear, and it is in full accord with the content of the passage cited above.

An anonymous Panegyrist of Maximian and Constantine has a similar reference to the restoration of peace in Gaul (this time explicitly mentioned), after the wrongs of the past had caused its population to run wild.[41]

All three passages create the same impression. A wave of widespread unrest among the rural population of Gaul, caused by the troubled conditions during decades of barbarian invasions and military anarchy, was effectively dealt with by Maximian. Law and order were restored much more by peaceful measures than by force, though some military operations were needed as well. Such operations may be aptly characterized in Eutropius' words as *levia proelia*. The whole picture is in perfect accord with Victor's statement that Maximian's victory was gained *fusis hostibus aut acceptis*.

Little wonder therefore that the victory over the Bagaudae was never reckoned among the higher feats of Maximian, and had gained him no imperatorial acclamation.[42] The astute Mamertinus, who feels that the emperor ought to be praised for the pacification of Gaul, shows his sense of propriety when he checks the flow of his rhetoric, and refrains from describing a successful policing campaign as a major victory.

It is important to insist on this point. Mamertinus' words may be cited in support of the contention that the paucity of information concerning peasant uprisings in the sources for the later Roman empire stems from repressed fears of the one big threat to the ascendancy of the upper-classes in the slave-owning society[43] (peasants are habitually taken by Marxist scholars to include both slaves and *coloni* as an adaptation of slavery to the changing conditions of the time). The argument is circular: it is the very

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40 *Paneg. Lat.* 11(3).5.3.

41 *Ibid.* 7(6).8.3.

42 W. Seston, *Dioclétien et la tétrachie*, Paris, 1946, p. 68: "La guerre des Bagaudes du reste ne fut jamais comptée parmi ses hauts faits et ne valut aux empereurs aucune salutation de victoire".

43 Thompson, *op. cit.*, pp. 305–306. See also G.E.M. de Ste. Croix, *The Class Struggle in the Ancient Greek World*, London, 1983, p. 478. For an acceptance of this point of view by a non-Marxist scholar, see Minor, *op. cit.*, p. 121.

assumption that the Bagaudae posed a really serious threat that requires substantiation. Mamertinus' treatment of the episode appears to point in the opposite direction.

This brings us back to the question of Maximian's nomination as co-emperor with Diocletian. How should it be explained if the danger of the Bagaudae ultimately proved to be so slight? Could it have been just a miscalculation on Diocletian's part? In order to answer this question the movement ought to be reviewed in its wider historical setting. Two curious passages in two hagiographies dedicated to the Passion of St. Maurice may help to clarify this issue.

One of these two versions of St. Maurice's martyrdom, composed by Eucherius, bishop of Lugdunum (Lyons; C.450), describes the martyrdom of this saint at Agaunus (today St. Maurice, named after the saint) in simple enough terms. Maximian arrived in Gaul in order to carry out a persecution of the Christians (*ad pertrahendam Christianorum multitudinem*). One legion of his army—that of the Thebaïs—was composed mainly of devout Christians. In this legion Maurice served in the rank of *primicerius*. When he and his friends were ordered to persecute their coreligionists they refused to act as the instrument of cruelty. To punish their disobedience, Maximian had them decimated. Yet even this failed to cow the remaining soldiers into submission, Maurice together with two of his friends being the most active in their resistance. Maximian therefore ordered the execution of all the defiant members of his legion, and they all welcomed their martyrdom happily.[44]

This story raises a host of difficulties which cannot be discussed in detail in the framework of the present paper. Some circumstantial details which enable the uncovering of its factual core have, however, been pointed out.[45] Two legions previously stationed in the Thebaïs, and bearing the epithet Thebanorum, I Maximiana and III Diocletiana, were stationed in Thrace towards the end of the 4th century. Their honorary imperial titles point at their distinction under the Tetrarchy, and the service of one, or both, in Gaul, under Maximian is not unlikely.[46] That a

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[44] *Acta Sanctorum*, September 22(6), colls. 342–343.

[45] For a full, detailed discussion of the *Passio Sancti Mauritii* see C. Jullian, "Notes gallo-romains", *REA* 22 (1920) pp. 41–47.

[46] For I Maximiana, see *Notitia Dignitatum*, Or. xxxi.37 (ed. O. Seeck, p. 64), at

few soldiers of these legions were put to death for some kind of insubordination while it was stationed in the Rhône valley, having crossed the bigger St. Bernard, is not improbable.

The second version of the story, written by a monk of St. Maurice about two centuries after that of Eucherius may perhaps reveal the circumstances that occasioned that show of insubordination. It is based on an interpolated 6th century edition of Eucherius' letter, from which it deviates in a few places.[47] It has been suggested quite persuasively that at least one of these deviations is based on a good earlier source.[48] Since it concerns the Bagaudae, it deserves a closer attention in the present study. Unlike Eucherius' version, the St. Maurice document states expressly that Maximian was sent to Gaul by Diocletian against Amandus and Aelianus, who had started a war in servile boldness, brandishing the name of Bagaudae (*Diocletianus . . . Herculium Maximianum caesarem fecit, eumque contra Amandum et Aelianum, qui in Bagaudarum nomen praesumptione servili arma commoverant, ad Gallias destinavit*).[49] This statement provides a plausible chronology and a plausible historical setting for the affair of the Theban legion, and avoids some of the difficulties created by Eucherius' version. In the sequel the Bagaudae are described as Christians to be persecuted by Maximian as enemies to his gods. This falsehood is only one indication that the incorporation of the Bagaudae in this context ultimately derives from a local tradition rather than from Orosius as has been suggested.[50] The very association of

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Filae in the Thebaïs; cf. Or. viii.4; 36 (*ibid.*, pp. 23; 25) *I Max. Thebaeorum Comit. in Thrac.*. For III Diocletiana, see *Notitia Dignitatum*, Or. xxvii.18 (*ibid.*, p. 59), at Andro (Aeg.); Or. xxxi.33.38 (*ibid.*, p. 64) at Praesentia and at Thebae, in the Thebaïs; cf. Or. viii.5; 37 (*ibid.*, pp. 23; 25), *III Diocletiana Thebaeorum, Comit. in Thrac.*

[47] See B. Krusch, in *MGH*, *Script. rer. Merov.* III, p. 27; cf. Jullian, *op. cit.*, p. 41, n. 1; Leclercq, 'Maurice d'Augune (Saint), *DACL* X, coll. 2706–2707; 2711–2712.

[48] Jullian, *ibid.*, p. 45, n. 1; Leclercq, *ibid.*, col. 2712; "Le moine de Saint-Maurice du VII[e] siècle . . . n'a pu que l'emprunter à un recit ancien qui conservait, sur ce point, la vraie tradition".

[49] *Acta Sanctorum*, September 22(6), p. 341.

[50] For the suggestion, see Krusch, *ibid.*, p. 27. However, the juxtaposition of the passage he cites from Orosius with the passage he cites from the *Passio* shows no verbal similarities besides the mere names of the protagonists. Furthermore his description of this version's author as *historiae eius (sc. Diocletiani) temporis non imperitus*, tallies little with his other errors and misconceptions, pointed out by Leclercq, *ibid.*

the Bagaudae with Maximian's imperial nomination and the mention of their leaders, Amandus and Aelianus by name, indicate a basically good tradition.[51]

The story about a Theban legion transferred to Europe and sent to Gaul in the framework of Maximian's effort to stabilize the provinces of Western Europe may be the historical kernel of the traditions about Maurice's martyrdom. The most convincing interpretation of these traditions seems to be that they derive from the reminiscence of a minor insurrection that broke in Maximian's army during his expedition to Gaul in 296. The presumed reason for such an insurrection at Agaunus, which was destined to bear the name of Saint Maurice in later generations, may have been the refusal of a detachment, separated from the main body of the army to fight against the Bagaudae, to obey its orders. The separation was apparently planned to take place at the cross-roads of Vevey, north-east of Lake Geneva: at this point the detachment would turn west, whereas the main body of the army would carry on to the north, to fight against the barbarians on the frontier of the Rhine. Fighting against the Bagaudae was apparently considered a dirty job, not only less honourable, but in all likelihood also much less profitable in booty and in donatives.[52] And indeed the danger of a barbarian invasion, or the urgent need to beat back barbarians who had already encroached upon the empire seems to provide a much better explanation for the nomination of Maximian then merely the need to put down the Bagaudae.

If this reconstruction appears to be too hypothetical at first

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[51] Jullian, *op. cit.*, p. 47, n. 2, points out that this anachronistic description of the Bagaudae (it would have been more in place in the 5th century) looms large also in the *Vita sancti Baboleni*, in M. Bouquet, *Recueil des historiens des Gaules et de la France*, III, Paris –1869, pp. 568–569. Jullian argues that Orosius was used by a common source of Saint Maurice's *Passio* and the *Vita Baboleni*. This suggestion which rather weakens his argument is gratuitous. True, the *Vita Sancti Baboleni* does mention Orosius as a source, but it also ascribes to him things that he does not say, and the account it gives of the Saint Maurice affair bears no similarity to that of the *Passio*.

[52] Jullian, *op. cit.*, p. 41, and esp. n. 1, followed in a somewhat qualified manner by Leclercq, *op. cit.*, col. 2702, who nevertheless does his best to accommodate in the story also the martyrdom of a small group of Christian soldiers for their refusal to participate in a pagan ritual. It is hard to see why Thompson, *op. cit.*, p. 311, n. 19, regards the refusal of troops to fight against mere brigands for the reasons suggested by Jullian as "singularly improbable".

sight it is worth remembering that the threat of a major barbarian invasion was certainly present, and it was in the protection of the Germanies and Gaul against this threat that Maximian employed most of his energy when he established his headquarters in Moguntiacum (Mainz) in 286.[53] Furthermore the presence of marauding barbarian bands in the countryside of Gaul was in itself a not unlikely cause for a widespread displacement among its peasant population, and the very fear of an impending barbarian raid would be enough to cause flight from villages whose inhabitants had despaired of imperial protection. On the other hand, gangs of displaced peasants who had found themselves constrained to put their hands to brigandage would be easily persuaded to return to their farms by the presence of a strong military power that promised protection, and whose commander in chief was not too strict in imposing punishment. In such a context, Mamertinus' assertion that order was restored in Gaul no less through *clementia* than through the use of force makes perfect sense.

One more question that ought therefore to be answered concerns the distorted view, common to the *KG* tradition and the Saint-Maurice version of the *Passio Sancti Mauritii*, that the Bagaudae were the main cause of Maximian's nomination. How can it be accounted for in view of the fact that they proved to be a slight problem in comparison with the others that Maximian had to face?

The answer may be connected with the aspirations of their leaders. Amandus had demonstrably higher ambitions than just to be the leader of a successful peasant revolt. He struck coins which openly proclaim his claim to the imperial throne. Doubts of their authenticity do not seem justified.[54] Amandus appears to have been one of a series of usurpers in Gaul, who had been proclaimed emperors in order to deal with states of emergency that required the leadership of men in possession of full imperial

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[53] Seston, *op. cit.*, pp. 69–79; see also Stephen Williams, *Diocletian and the Roman Recovery*, London, 1985, pp. 46–52.

[54] P.H. Webb, *RIC* V, p. 595; IMP[ERATOR] C[AESAR] C. AMANDUS P[IUS] F[ELIX] AUG[USTUS]. Webb himself voices some reservations about their authenticity (*ibid.*, p. 597), but cf. Seston, *op. cit.*, pp. 68–69 (his confusion between Aelianus and Amandus is probably due to inadvertence, or to a simple misprint); likewise, A.H.M. Jones, *PLRE* I, "Amandus I", p. 50.

powers on the spot.[55] His main purpose may have the organization of the defence in the Germanies and in Gaul against the barbarian invaders. It has even been suggested that he assumed imperial powers in order to crush the Bagaudae themselves.[56] At any rate, from Diocletian's point of view a usurpation right at the beginning of his reign might presage the renewal of the anarchy from which the empire had been suffering for more than five decades. His own solution that would prove a success was that the man in charge with the necessary imperial authority would be his own man rather than a usurper.

The fact that Amandus' revolt was not officially described as a usurpation calls for an explanation. A pretender to the throne who seriously challanged a reigning emperor's position, or was strong enough to elicit his official recognition, was only one who commanded the loyalty of a significant part of at least one provincial army. Hence to apply the term *tyrannus* to a pretender before the full extent of the military support he enjoyed was verified might be a very serious blunder. It might signal to other provincial armies that the emperor's position in the army was unstable and thereby precipitate unwelcome upheavals in other places as well. The appropriate expedient would be to depict him as a plain criminal, a bandit, or at most an ethnic rebel.[57] This did not mean that the necessary measures to reduce a usurper would not be taken, especially when the situation in the area called for prompt military actions for other reasons as well. This seems to have happened in fact in the case of Amandus. Ultimately his revolt, or perhaps rather his enterprise of local defence (the example of Sampsigeramus, alias the usurper Uranius Antoninus occurs to one's mind), was quelled in its incipient stages, and for imperial propaganda he remained

[55] That the 3rd century usurpers were excellent men who rendered the Roman empire a good service in hard times is a recurrent theme in the *HA*. The fictitious character of what this source has to say about individual usurpers does not invalidate the basic truth that underlies this theme which certainly reflects prevalent notions during the 3rd and 4th centuries. See e.g. *HA, Tyr. Trig.* 5.5–6: *Ita Gallieno perdente rem p. in Gallia primum Postumus, deinde Lollianus, Victorinus deinceps, postremo Tetricus, (nam de Mario nihil dicimus) adsertores Romani nominis extiterunt. quos omnes datos credo, ne . . . posidendi Romanum solum Germanis daretur facultas etc.*

[56] Seston, *ibid.*

[57] For the awareness of the difference see n. 26 above.

a leader of brigands—with an ethnic epithet to boot—an altogether incovenient subject that should not be dwelt upon too emphatically on solemn occasions.

Whether Aelianus was likewise such a pretender or not is a question that cannot be answered on the basis of the meagre information we possess. He may have been Amandus' appointee either as Caesar or as commander in chief.[58] On the other hand he may have acted independently as leader of robber bands which under the circumstances may have attracted hosts of displaced peasants and acquired the semblance of a movement.

Such robber bands seem to have abounded in Gaul during the 4th century.[59] Sulpicius Severus narrates how Saint Martin was caught and beaten out of consciousness by one of them.[60] This selfsame saint is said to have exposed the fraudulence of a martyr's cult rendered to a deceased bandit in central Gaul through a dialogue with his spirit.[61] The very fact that such a man could be treated as a saint testifies to the immense amount of sympathy that Robin Hoods like him could arouse among the oppressed peasants of the western provinces. This however does not warrant the treatment of any of them as the leader of

[58] There are no coins parading Aelianus as either Augustus or Caesar; cf. Jones, *PLRE* I, "Aelianus I", p. 27. Nevertheless the notion that he was either Augustus or Amandus' Caesar has been voiced by modern scholars; for the former see e.g. Leclercq, *op. cit.*, p. 2700; for the latter see Dmitrev, "Bagaud.", p. 107. The hardly deniable fact that Amandus laid claims to the position of Augustus caused some inconvenience to Marxist scholars; cf. Aplatow, *op. cit.*, p. 18, who cannot dismiss it as a legend (unlike the case of Maternus), but describes it in terms of Amandus and Aelianus' organization of their own *Machtbereich*, with no reference to the fact that such an organization would have been accomplished entirely along the lines of the order that according to his own theory they wished to supersede. For a total denial, see Thompson, *op. cit.*, pp. 315–316 (no mention of the numismatic evidence). Ramsey MacMullen, *op. cit.*, pp. 216–217 adopts a middle line, describing Amandus' Bagaudae as "a foreign power that happened also to be an internal one".

[59] Amm. 28.2.10: *Haec inter res per Gallias latrocinium rabies saeva scatebat in perniciem multorum, observans celebres vias, fundesque indistanter quidquid inciderant fructuosum etc.*; cf. Mamertinus, *Paneg. Lat.* 3(9).2: *Porro aliae (sc. urbes) quas a vastitate barbarica terrarum intervalla distulerant iudicum nomine a nefariis latronibus obtinebantur.* The epithet Bagaudae is nowhere explicitly used to characterize brigandage in 4th century Gaul. See however, Dmitrev, *op. cit.*, p. 111.

[60] Sulpicius Severus, *Vita Martini*, 5, *PL* XX, col. 163.

[61] Sulpicius Severus, *Dialogus* II.3, *PL* XX, col. 203. For the presentation of this false saint as a Bagaudae leader, see Matthews, *op. cit.*, p. 437; p. 547, n. 26, citing Jacques Fontaine, in *Sulpice Sévère, Vie de Saint Martin*, II (1968), pp. 703–712, which is inaccessible to me when writing this paper.

a general uprising or a revolutionary movement.[62] That the inhabitants of Gaul named them Bagaudae is not improbable, though this is not explicitly borne out by the sources.[63] One passage in Ammianus indicates the nature of the widely diffused policing activities that were required to check this phenomenon.[64] It is absolutely true that Ammianus does not find anything instructive or praiseworthy to record about them (*neque operae aliquod eorum habuere proventus, nec historiam perducere per minutias ignobiles decet*). The very nature of such operations precludes swift, complete, and enduring successes. This does not however mean that Gaul under Valentinian had slipped totally out of control, or that the normal situation prevailing there was worse than that which followed the restoration of order there by Maximian.[65] It is significant that Maximian liked to be reminded of his victory against the Bagaudae just as little as Ammianus was eager to report operations against brigands.[66]

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[62] A more appropriate approach would be to regard them as parts of a widespread wave of brigandage throughout the empire, consisting of individual bands, some of them, like the Maratocupreni (Amm. 28.2.11–14; cf. Matthews, *op. cit.*, pp. 264–5; 349; 388; 402, and n. 46, on p. 539), with quite a sophisticated level of organization. See pp. 131–133 above for analogous phenomena in the 2nd and 3rd centuries, and cf. also A.D. Dmitrev, "Dvizhenye latrones kak odna iz form klassovoy borbi v rimskoy imperii", *VDI* 1951, 4, pp. 61–72. See also Z.V. Udaltzova, *Ideynopoliticheskaya broba v ranney Vizantii*, Moscow, 1974, pp. 63–70 for an attempt to interpret the relevant passages, especially those in Ammianus, as evidence for class struggle in the Marxist sense in the 4th century.

[63] Cf. n. 34 above; the sole indication that this may have been the case is the use of the present tense by Aurelius Victor, *loc. cit.* (*quos Bagaudas incolae vocant*).

[64] Amm. 27.2.11; cf. *Paneg. Lat.* 10(2).6.1, referring to Maximian's *innumerabiles tota Gallia pugnae atque victoriae.*

[65] As suggested by Dmitrev, *op. cit.*, p. 111; more surprisingly also by Minor, *op. cit.*, p. 121, who seems to reverse his position concerning the extent and gravity of the Bagaudae uprising from a page earlier. A more realistic view is put foreward by Thompson, *op. cit.*, p. 315.

[66] It ought to be remembered that Maximian had arrived in Gaul in order to deal with a special emergency. His problems seems to have been not only widespread brigandage, but also the displacement of peasants under the impact of barbarian invasion and an attempted usurpation. Under such circumstances, the suppression of a usurper and the return of the majority of the displaced peasants to their farms thanks to the emperor's clemency might be reckoned a great success, even if brigandage was not completely stemmed out. The significance of clemency cannot be underestimated in this context (cf. Thompson, *op. cit.*, p. 312, and Minor, *op. cit.*, pp. 121–122). There is no sign that Valentinian's government followed Maximian in the employment of clemency towards outlaws in Gaul.

It is during the 5th century that the term Bagaudae is encountered once again. A fairly clear distinction between at least two totally different phenomena behind this term is clearly discernible in the biography of Saint Germanus of Autissiodorum (Auxerre). It dwells on its hero's active compassion for the poor people in Armorica who, having been evicted from their homes and deprived of their sustenance, joined the marauding bands of the Bagaudae. When Aëtius commissioned the Alanic chieftain Goar to wipe them out, Germanus did not hesitate to face the barbarian leader in order to obtain a reprieve for those whom he regarded rather as afflicted victims than as wilful criminals.[67] He then set out to Ravenna and managed to obtain an imperial pardon.[68] The nebulous wording of the *Vita* allows the conclusion that it was conditional upon the restoration and the future maintenance of public order in the *regio Armoricana*. The arrangement was shattered when rebellion flared up again, and this time Germanus' biographer shows no sympathy for the rebels. The settlement of the whole issue, he asserts, might have been left at the discretion of Germanus (*causam sane . . . ad proprium arbitrium obtinuisse*), had it not been for the treason of the rebels' leader, Tibatto (*nisi Tibattonis perfidia rebellionem pristinam revocasset*).[69]

The historicity of Germanus' intervention in favour of the Bagaudae may indeed be doubted.[70] The story does however seem to reflect a genuine historical situation. Tibatto is attested elsewhere as one who stood at the head of a revolt from 435 to 437 and aspired to detach the whole of Gallia ulterior from the Roman alliance.[71] The *Vita* shows an awareness of the difference between such an ambitious scheme[72] and the sporadic outbursts

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[67] *Vita Germani*, 23, *MGH*, *Scr. rer. Mer.* 7.271–272.

[68] His voyage to Italy is narrated *ibid.*, 29 ff.; *ibid.*, pp. 272 ff.

[69] *Ibid.*, 40; *ibid.*, p. 280.

[70] Dmitrev, *op. cit.*, p. 113, mentions Goar's commission to crush the Bagaudae but completely omits his encounter with Germanus. For more explicit scepticism, see Minor, *op. cit.*, n. 63 on pp. 161–162.

[71] *Chronica Gallica* a. 435; *Chronica Minora* I = *MGH*, *AA* IX, p. 660: *Gallia ulterior Tibattonem principem rebellionis secuta a Romana sociatete discessit, a quo tracto initio omnia paene Galliarum servitia in Bacaudam conspiravere.* See further Dmitrev, *ibid.*; Thompson, *op. cit.*, p. 312; Minor, *op. cit.*, pp. 137–138. For the suppression of this revolt by Litorius, Aëtius' lieutenant, see *Chronica Gallica*, a. 437; likewise Sidonius Apollinaris, *Carmina*, 7.11.244 ff., cf. 295 ff. with the commentary of A. Loyen (ed. and tr.) I, Paris, 1970, p. 184.

[72] I am inclined to accept the episode itself as historical; see Z. Rubin,

of brigandage among displaced and disorganized villagers. The plight of the latter is attested by Salvianus as well. It is the official robbery of their property by *mali iudices et cruenti*[73] that induces them to flee to the Goths, to the Bagaudae, and to other barbarians who hold their sway everywhere (*ad Gothos vel ad Bacaudas vel ad alios ubique dominantes barbaros*).[74] Salvianus and Germanus' biographer no doubt share the same attitude towards those who were constrained to turn into Bagaudae by the iniquities of the very Romans, who then denounced them as rebels, robbers, and desperadoes.[75] These miserable people deserve a totally different attitude from those who foment rebellion and commit treason out of enmity towards Rome or out of personal ambition.

There is, however, good reason to believe that even this distinction gives an oversimplified impression, since it judges a complex process by its outcome only. Dealing with the events of 407–417, Zosimus[76] describes a chain-reaction, set off when Gerontius, a general who was left in charge of the Pyrenean passess by Constans, the son and co-emperor of the usurper Constantinus, suborned Germanic contingents against his masters. Britain was hit by the wave of the ensuing invasions, and its Celtic population felt compelled to rebel against the Roman government, which no longer offered protection.[77] Their enterprise of self-defence reached the proportions of an ethnic revolt when they managed to liberate a number of towns from Germanic siege.[78] In Armorica,

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"La Méditerranée et les origines de la France médiévale", in I. Malkin (ed.), *La France et la Mediterranée*, Leiden, 1990, pp. 64–66.

[73] Salvianus, *De Gubernatione Dei* 5.24; *MGH*, *AA* I, p. 60.

[74] *Ibid.*, 24; *ibid.*, p. 60.

[75] *Ibid.*: *vocamus rebelles, vocamus perditos, quos esse compulimus criminosos. Quibus enim aliis rebus Bacaudae facti sunt nisi iniquitatibus nostris, etc.?*

[76] Zosimus, 6.5.2–3.

[77] Zosimus, *ibid.* 2, makes it plain that the Britons initially acted out of constraint: οἱ ὑπὲρ τὸν ‘Ρῆνον βάρβαροι κατέστησαν εἰς ἀνάγκην τούς τε ἐν Βρεττανικῇ νῆσον. See also Minor, *op. cit.*, pp. 128–132. His statement that "Gerontius stirred up Celtic barbarians to revolt against Constantine" seems to be a misunderstanding of Zosimus' τοὺς ἐν Κελτοῖς βαρβάρους which ought to be rendered as "the barbarians among the Celts". The term "the Celts" means the provinces of Gaul, as in τῶν ἐν Κελτοῖς ἐθνῶν a few lines down.

[78] It is true that Zosimus relates their decision ἔνια τῆς ‘Ρωμαίων ἀρχῆς ἀποστῆναι καὶ καθ' ἑαυτὰ βιοτεὺειν, (*ibid.* 2) before the repulsion of the Germanic invaders (*ibid.* 3), but his version is undoubtedly coloured by imperial propaganda, and it most probably ascribes to the Britons an orderly

the hotbed of Bagauda activity for the few decades to come, the local population, which no doubt suffered as severely from the Germans and from the Roman representatives' lack of ability to deal with them, followed the Britons' example.[79]

The term Bagudae is not employed by Zosimus in his account of these events. What he describes is a separatist Celtic movement, based in Britain and in Armorica, initially motivated by the local inhabitants' need of self defence. The underlying truth may have been a series of local usurpations which could be depicted in official propaganda as an ethnic revolt, because whatever regular Roman army there was in the regions concerned had already committed itself to Constantine and Constans.[80] Later on, when at least Armorica was brought temporarily under control by Exuperantius, it was found convenient to minimize it still further and to depict it as a servile uprising, a not uncommon device of imperial propaganda. Marxist scholars have not been slow in swallowing the bait.[81]

The term Bagaudae might therefore cover a whole range of phenomena: incipient and easily quelled usurpations; professional robber bands,[82] some of them probably formed by vagrant deserters

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adoption of an anti-Roman resolution, when such a procedure could hardly have taken place in reality. Here too a process is judged by its consequence rather than by its initial stages.

[79] *Ibid.* Βρεττανοὺς μιμησάμενοι, κατὰ τὸν ἴσον σφᾶς ἠλευθέρωσαν τρόπον.

[80] See n. 77 above; the situation of any such usurper will have been not unlike that of Amandus, to whom even the title *tyrannus* was denied.

[81] For the restoration of order in Armorica, see Rutilius Namatianus. *De Reditu* I, 213–216: *cuius Aremoricas pater Exuperantius oras / Nunc postliminium pacis amare docet; / Leges restituit libertatemque reducit / Et servos famulis non sinit esse suis.* The words *postliminium pacis*—imply again the employment of *clementia* towards peasants who had been swept along by events beyond their control and were now prepared to return to their lands. For other pieces of evidence which cannot be discussed here in detail, see Minor, *op. cit.*, pp. 134–135. For a fair criticism of the Marxist interpretations, see *ibid.*, pp. 131–132. A characteristic device is a totally arbitrary misrepresentation of *C.Th.* 9.31.1 (wrongly cited as 21.1), by Dmitrev, *op. cit.*, p. 113, who is justly taken to task by Korsunskij, *op. cit.*, p. 80, n. 45.

[82] The Bagaudae who intercepted Sarus at the Alpine passes in his retreat from Gaul, and forced him to cede to them the booty he had taken north of the Alps in return for an unhindered passage into Italy, seem to have been precisely such a band (Zosimus 6.2.5). The telegraphic references concerning the Bagaudae in 5th century Spain (see Thompson, *op. cit.*, pp. 312–313, nn. 26–30) do not allow a confident conclusion concerning the precise nature of the phenomenon there.

and evaders of conscription;[83] and ultimately revolts of an ethnic, separatist nature, led in all likelihood by local potentates (such seems to have been the revolt of Tibatto). Some of these phenomena were no doubt interrelated. Thus for example, desperate peasants in flight from the tax-collector or from the horrors of a barbarian invasion might on occasion augment the ranks of a pretender or an ethnic rebel—hence the mirage of a peasants' revolt. Well organized gangs of deserters might attempt to proclaim a usurper (the example of Maternus comes to one's mind). And since most of these deserters had been drafted from the rural population of Gaul in the first place, such enterprises may be misconstrued as peasants' uprisings as well.[84] There is, however, no justification to regard every mention of the Bagaudae as evidence for the existence of a rebellious (or revolutionary)[85] peasant movement, engulfing the whole of Gaul in continuous unrest for over a century and half. General disorder certainly prevailed. The peasants were, however, its victims, and the Bagaudae

[83] Desertion from the army and evasion of enlistment seem to have been rampant in Gaul (*C.Th.* 7.18.10) and in Italy (*C.Th.* 7.18.9; 11–15) under Honorius. Some of the deserters were expected to resist detention by force of arms (*C.Th.* 7.8.11.1), in which case they were treated like rebels. Others were known to have been occupying themselves with brigandage (*C.Th.* 7.18.15: *se ad depraedationes vel latrocinium contulerint*). See also Minor, *op. cit.*, pp. 128; 157, n. 35, for the identification of the Alpine Passes Bagaudae as such deserters.

[84] The *Anonymus de rebus bellicis*, 2.2.3 points out a connection between the affliction of the poor on the one hand and subversive activities against the state, starting with ravaging the fields (*populando agros*) and other acts of banditry (*latrociniis*), and culminating with attempts to set up usurpers (*tyrannos*) on the other; see E.A. Thompson, *A Roman Reformer and Inventor* Oxford, 1952, p. 92, and cf. *idem.*, "Bagaudae", pp. 315–316, where he links this piece of evidence, which he himself ascribes to the 4th century, with the rather scanty information extant about Tibatto, and concludes: "what is certain is that the Bacaudae intended to detach themselves altogether from the Roman Empire and set up an independent state". While this may be true about Tibatto, it is not necessarily true about the *tyranni* referred to in the *De rebus bellicis*, and MacMullen's attempt (*op. cit.*, pp. 217–218) to depict Amandus (the authenticity of whose coins he accepts) in the same light does not carry conviction. See also Minor, *op. cit.*, p. 127, and n. 32. At any rate, this source does not mention the Bagaudae explicitly, and *tyrannus* is the common epithet in the period that concerns us for a pretender to the supreme power *within the Roman Empire.* Tibatto is not described as such, but as a *princeps rebellionis* (supported by other *seditionis principes*); see n. 71 above.

[85] For a rejection of Dmitrev's (*op. cit.* pp. 106–107) insistence on "the grandiose outburst of the Bagaudae revolution" (my translation), and a "universal uprising of the enslaved masses" (my translation), see Korsunskij, *op. cit.*, pp. 73 and passim, who methodically uses only the much less pretentious term rebel-

(whatever may be meant by this term in each individual case) were one of its symptoms rather than its cause.

This does not mean that the great distress of the lower classes both in Gaul and in Spain during the 4th and 5th centuries can be minimized. There can be little doubt that the oppression of the poor, both in the cities and in the countryside, was conducive to the flourishing of brigandage. But at the same time it remains a demonstrable truth that the ordinary peasant regarded flight from his home and his land as the least desirable solution to his problems. Talking about afflicted tax payers who seek refuge among the barbarians, Salvianus adds:

> "And indeed one might wonder that not all the tax-payers do precisely this thing in their poverty and their want, unless there is one and only cause that prevents them from doing it, that they cannot transfer to those places their puny possessions, their abodes and their families. For while many of them desert their tiny fields and their sheds in order to evade the exactor's violence, how much would they have liked not to leave behind those things that they are forced to leave, but would have carried them along, if it had only been possible? Hence since they are unable to do what they would have preferred to do, they do the only thing within their power. They place themselves under the defence and protection of their superiors, and turning themselves into the *dediticii* of the wealthy, they pass as it were under their jurisdiction".[86]

Salvianus' tendentious account of the *precarium* contract in the later Roman empire follows.[87] It may be argued that Salvianus speaks in this context of the *precarium* as an alternative to flight to the barbarians, and not to the Bagaudae, but he himself has already made it quite plain elsewhere that from the fugitive peasant's point of view both kinds of flight are practically one and the same expedient.[88] His description makes it clear that for

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lion (*vosstanie*). See also Drinkwater, "Peasants", esp. pp. 368–371, and id. "Patronage", especially the concluding remarks on pp. 201–203 (cf. n. 5 above).

[86] Salvianus, *De Gubernatione Dei*, 5.38; *MGH*, *AA*, I, p. 68 (my translation). Dmitrev, *op. cit.*, p. 112 cites this passage completely out of context in support of his contention that the practice related by Salvianus encouraged flight to the Bagaudae. Salvianus says the exact opposite. An even less tenable interpretation of Salvianus' account is that of V.T. Sirotenko, "Borba narodnikh mass rimskoj imperii protiv varvarov", *Učenie Zapuski Belorusskovo gozudarstvenovo Univesiteta*, Vipusk 143, 1966, pp. 9–12.

[87] Cf. e.g. Robert Latouch, *The Birth of Western Economy*, London, 1961, pp. 23–24; Marc Bloch, *Feudal Society*, London, 1961, p. 164.

[88] Salvianus, *ibid.* 22; *ibid.* p. 59: *Itaque passim vel ad Gothos vel ad Bacaudas*

all its ostensible disadvantages the protection of a potentate who had arrogated for himself immunity from taxation will have been regarded as preferable to the uncertainties of vagabond existence in the eyes of any villager, given the choice.

An insight into precisely this type of existence is usually thought to be afforded by a passage of an early 5th century comedy, *Querolus*.[89] In response to Querolus' wish to be a powerful private man, and to be permitted to use his power to rob people who owe him nothing, to kill strangers, and both to rob and kill his neighbours, his *Lar Familiaris* points out to him that what he seeks is brigandage, not power (*latrocinium non potentiam requiris*), and that the place to find it is in the Loire Valley. The inference that this is relevant to the Bagauda activity in the Armorica and its vicinity about the time when the play was written is not implausible, but caution is required when using comedy, which by its very nature presents an exaggerated and distorted reflection of reality, as evidence. The description of the anarchic and egalitarian brigand society that follows is obviously meant to be funny: "Men live there under natural law (*ius gentium*). There's no trickery there. Capital sentences are pronounced there under an oak tree and are recorded on bones" (*ibi sententiae capitales de robore proferuntur et scribuntur in ossibus*). This seems to mean that death sentences are pronounced on people who had already been killed, and the comic effect is probably achieved through the implication that their death sentences are written on their own bones. This presents the *ius gentium* under which this summary justice is administered in a particularly bizarre light. The suggestion that there "even rustics perorate, and private individuals pronounce judgment" (*illic etiam rustici perorant et privati iudicant*) is apparently to be taken just as seriously. How can any sentence carry weight where every single person is entitled to pronounce one? In such a context it becomes perfectly intelligible how *ibi totum licet*. There follows an unintelligible sentence: "if you are rich you will be called *patus*. This is how our Greece talks". The meaning of *patus* is unknown, and the point of the joke may be the similarity of this colloquialism to some Greek

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vel ad alios ubique deminantes barbaros migrant, et commigrasse non paenitet.

[89] *Aulularia sive Querolus*, ed. R. Peiper, p. 16, l. 15 - p. 17, l. 5, and see Thompson, "Bagaudae", pp. 316–317; Minor, *op. cit.*, pp. 132–133. Translations into English are mainly those of Thompson.

word.[90] It has been suggested that this is a Celtic expression that signifies the enslavement of a rich man who has fallen into the power of the Bagaudae.[91] But Querolus' response seems to suggest that the rich man has ultimately the advantage even in this seemingly egalitarian society: he rejects the proposal of his *Lar* precisely because he is not rich and has no desire to use the oak to pass judgment (*Neque dives ego sum, neque robore uti cupio*). In other words, since the context is one in which Querolus seeks *potentia*, the implication is that he would really have had it among the brigands, if he had been rich, and at the oak tree it is his judgment that would have been observed, in spite of the licence given to everybody else to speak. If this interpretation is correct, the powerful leadership of a local crime lord may be discernible behind the egalitarian façade of the brigand gangs in the Loire Valley at the beginning of the 5th century. Some *rustici*, but by no means all, might seek the protection of such Robin Hoods.

The activity of a movement reminiscent in some respects of the Bagaudae is attested in the provinces of Africa during the 4th and early 5th centuries—yet with a striking difference. A powerful ecclesiastical organization is alleged not only to have condoned the activities of bands of marauding vagabonds, but also to have been actively supportive of them and involved in their organization. It is to this phenomenon that we must now direct our attention.

b. *The Circumcellions*

In the course of the 4th and early 5th centuries the African provinces, particularly Numidia, but occasionally also parts of Africa Proconsularis and Mauretania were hit by a long succession of depradations committed by gangs of religious fanatics.

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[90] Thompson, "Bagaudae", p. 317, n. 50, rejects the suggestion that it may be the word παχύς, meaning "stout", "fat", but also "thick witted", "stupid". His argument that no one spoke Greek in the Armorican countryside is however not valid here. To start with, the text itself implies that we are here concerned with a distorted form of a Greek word. Furthermore, the play was not written for the inhabitants of the Armorican countryside but for cultivated readers who would appreciate the comic device meant to poke fun at the inhabitants of Armorica.

[91] Thompson, *ibid.*

The evidence we possess about them is forthcoming mainly in Ecclesiastical Catholic sources dealing with the Donatist schism, notably in the writings of Saint Augustine and Saint Optatus of Milevis. These authors habitually refer to them under the pejorative epithet *Circumcelliones*, and describe them as a subversive ploy in the hands of the Donatist bishops and their clergy.[92] Two basic facts can, however, hardly be concealed, and they emerge with resounding clarity from Augustine and Optatus' own statements. First, the movement's members called themselves *agonistici*,[93] a term that may be paraphrased as *milites Christi*, and regarded themselves as the Donatist counterpart of the Catholic monastic movement. Second, some of the wilder excesses ascribed to this movement had never been endorsed by the Donatists' establishment.[94]

This second fact may be of some historiographical significance. We have very little information from Donatist sources about themselves,[95] and none at all from such sources about the so called *agonistici*. Consequently, when Augustine imputes some horrible misdeeds to the *Circumcelliones*, and then attributes to Donatist polemicists such responses as "what has that got to do with us?"[96], this may have two possible meanings: either that

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[92] Aug., *Breviculus Collationis cum Donatistis* 11 (21), *CC* 149 A, p. 287; *Enarrationes in Psalmes* 10.5, *PL* XXXVI, col. 134 (*sub episcopis et presbytoris ducibus*); contra *Cresconium* IV.51 (61), *PL* XLIII, col. 581, etc.

[93] Aug., *Enarrationes in Psalmos* 83.6. *PL* XXXVII, col. 1732 *Dicant quod eos vocent, et audietis. Agonisticos eos vocant... Sic eos, inquiunt, appellamus propter agonem... Utinam ergo milites Christi essent, et non milites diaboli...*

[94] *De Haeresibus Liber Unus*, 69, *PL* XLII, col. 43: "*Verumtamen plerisque Donatistarum displicent tales...*"

[95] The fragments of the Donatist writer, Tyconius, as collected by T. Hahn, *Tyconius Studien. Ein Beitrag zur Kirchen und Dogmengeschichte des vierten Jahrhunderts*, Leipzig, 1900, remain inaccessible to me when writing this paper. See, however, E. Tengström, *Donatisten und Katholiken. Soziale, Wirtschaftliche und politische Aspekte einer nordafrikanischen Kirchenspaltung*, in *Studia Graeca et Latina Gothoburgensia* XVIII, Göteborg, 1964, p. 58, for a fragment relevant to the Circumcellions cited by Hahn on p. 68, n. 1, and also by Minor, *op. cit.*, p. 222, n. 119.

[96] Aug., *Contra Litteras Petiliani* II 32 (73), *PL* XLIII, col. 283: *Quid ad nos?*; *ibid.* 64 (144), *PL* XLIII, col. 306: *Dicturus es, quid ad nos pertinet?*; *ibid.* 83 (184), *PL* XLIII, col. 317: *Noli ergo dicere, Absit, absit a nostra conscientiatia, ut ad nostram fidem aliquem compellamus; Contra Epistulam Parmeniani* 11 (17), *PL* XLIII, col. 46: *fingunt se ignorare tale hominum genus, vel ad se non pertinere contra omnes homines ore impudentissimo*; see also Possidius, *Vita Augustini*, 10, *PL* XXXII, col. 42: *Unde etiam suis iidem Donatistae rebaptizatores in odium veniebant.* Augustine himself resorts to the tactics he imputes to the Donatists, when he is faced with some misdeeds allegedly perpetrated by Catholics; see *Contra Cresconium*

these polemicists turn their backs on the whole movement, or that they resolutely deny the responsibility of the *agonistici*, whom they still recognize as their devotees, for crimes mendaciously laid at their door. This latter possibility ought to be examined with the utmost care. The truthfulness of all the allegations made by Catholic authors against the Donatists can hardly be taken at face value. The imputation of a whole range of subversive acts to the Donatist *agonistici* does not necessarily mean that they really and truly were responsible for every crime of which they were accused by their enemies. Some of these crimes which seem to have been equally reprehensible in the eyes of Donatist and Catholic churchmen may have originated in totally different sections of provincial African society. Making the Donatists and their henchmen responsible for every disruption of public order might produce a deleterious propagandistic effect. The possibility that the term "Circumcellions" misleadingly groups together a whole range of political and social phenomena must therefore be carefully explored and the evidence must be carefully sifted.[97]

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As stated above, the name Circumcellions was applied to the Donatist version of Monasticism by their Catholic opponents. The juxtaposition is set out in full by St. Augustine in his *Enarrationes in Psalmos*.[98] As used by the Catholics this derogatory epithet referred

III 41 (45), *PL* XLIII, col. 520, where he quotes a no lesser authority than Cyprian: *cum cernentur in Ecclesia mali, non propter eos Ecclesiam deserendam*. Explicit disapproval of some aspects of the Circumcellions' activity is voiced by the Donatist writer Tyconius (cf. n. 6 above). His statement will be discussed in more detail below.

[97] For some studies of the Circumcellions, see n. 6 above.

[98] 83.3, *PL* XXXVII, col. 1730. In the following discussion the term *circumcelliones* will be used in the sense given to it by Augustine and Optatus, the two writers who provide the most detailed information about the people to whom they apply it. It is true that it has a totally different meaning in *C.Th.* 16.5.52, where it occurs as a legally recognized social category. According to Ch. Saumagne, "Ouvriers agricoles ou rôdeurs de cellers? Les Circumcellios d'Afrique", *Annales d'Histoire économique et sociale* 27 (1934), pp. 351–364, they were free, vagrant, hired agricultural labourers. In essence this interpretation is followed by Minor, *op. cit.*, pp. 169–172. According to N.A. Mashkin, "Agonistici, ili circumcellioni v kodekse Theodosiana", *VDI* 1938, 1(2), pp. 82–92, the meaning of the term in our specific edict is "the lowest stratum of the free rural population" (p. 88), and it is used in the edict in this sense owing to a misunderstanding of its meaning in the sentence passed by Marcellinus, Honorius' *cognitor*, at the conference of Carthage in 411 (see *Gesta Collationis*

to the vagabond character of the Donatist "monks": judging by the picture that emerges from Augustine's description, they consisted of groups, of wandering ascetics, who raised their livelihood by traversing the African countryside, calling at granary after granary, begging for alms (*maxime in agris territans, et victus sui causa cellas circumiens rusticanas*).[99] This way of life was a far cry from what a Catholic writer like Augustine regarded as a proper monastic regime. The vagrant Circumcellions, whose alms-begging he frequently represents (certainly with some measure of justice) as plain extortion, sometimes tantamount to sheer robbery, might be contrasted with the sedentary, hard-working, subject-to-rule, Catholic monks, to create a devastatingly effective theme of propaganda. The title Circumcellions rendered itself to a further pernicious manipulation. Through a slight distortion they might be referred to as *Circelliones*—an epithet redolent of the arena dust rather than of the ritual incense of the Church.[100]

Augustine does not, however, confine the accusations he levels against them to over-insistent begging. He depicts them repeatedly as responsible for atrocities committed in cities and for expropriations in the countryside.[101] Their victims were mainly

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Cartaginiensis, *PL* XI, col. 1420. Diligenskij, *op. cit.*, pp. 90–91, rejects both views and argues that the edict imports no official recognition of the *circumcelliones* as an individual category, but only a desire to impose a fine on people who could not be otherwise punished for refusing to revert to the Catholic faith. All these explanations are equally unconvincing. It will be best to admit that such a term as *circumcellio* might have different meanings in different contexts. See also pp. 166; 177–179 below.

[99] *Contra Gaudentium* 1.28 (32), *PL* XLIII, col. 725. On the basis of this passage Minor, *op. cit.*, p. 169, suggests that the Circumcellions were agricultural workers of some sort: As a matter of fact Augustine's statement hardly warrants such a suggestion that would have added force, if true, to Minor's interpretation of *C.Th.* 16.5.52. It is true that roaming through the countryside they call at the granaries (which is obviously the meaning of *cellae* in the context, and not "hovels"), but *maxime in agris territans* hardly means that they do this in order to look for employment. The parallel passage in *Enarrationes in Psalmos*, *loc. cit.*, in a context where the Circumcellions are juxtaposed to Catholic monks, suggests that the manner in which they raise their livelihood according to Augustine is hardly agricultural labour, but robbery in the guise of alms-begging. See also Possidius, *Vita Augustini* 10, *PL* XXXII, coll. 41–42, which is a comprehensive summary of all that Augustine himself has to say about the Circumcellions. It contains no allusion to agricultural hired labour.

[100] *Enarrationes in Psalmos*, *ibid.*

[101] *Contra litteras Petiliani* 1.24 (26), *PL* XLIII, col. 257: *tyrannicas in civitatibus et maxime in fundis alienis dominationes.*

Catholic landlords and clergymen,[102] but also those considered to be schismatics within their own church, such as the Maximianists, did not escape their fury.[103] Among the torments they were fond of inflicting on their victims, a particularly gruesome one was to blind them by pouring a mixture of chalk and vinegar into their eyes.[104] In skirmishes with their opponents they soon went beyond using only their staffs (which they nicknamed *Israeles*)[105] and resorted to other lethal weapons such as slings, hatchets, stones, and lances.[106] Their salutation, *Deo Laudes!*, came to be regarded by those who encountered them as a sign of ill omen.[107] Their conduct, as depicted by Augustine, is baffling in its ostensible self-contradictory nature. Outbursts of violent aggressiveness against others are reported to have alternated with spells of self-destruction, when self-inflicted martyrdom would be sought by a whole range of bizarre manners of suicide.[108] Yet martyrdom itself might be frequently obtained by methods otherwise used by highwaymen to rob voyagers of their possessions: Circumcellions would stop passengers and threaten them with death unless they consented to take the lives of their attackers.[109]

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[102] Breviculus Collationis cum Donatistis, 11 (21–22), *PL* 43, col. 636 = *CC* 149A, p. 287. *Contra litteras Petiliani* 2.83 (183), *PL* XLIII, col. 317: *An vero incursionibus Circumcellionum . . . non ex agris undique pelleremur . . .?* Ep. 108.5 (14), *PL* XXXIII, col. 414, cf. 29.12, *ibid.*, col. 120.

[103] *Contra Epistulam Parmeniani* 10 (16)–11 (17), *PL* XLIII, col. 46; *De Gestis cum Emerito* 9, *PL* XLIII, col. 704.

[104] *Ep.* 88.8, *PL* XXXIII, col. 317; 111.1, *ibid.*, col. 442.

[105] *Enarrationes in Psalmos* X.5, *PL* XXXVI, col. 134.

[106] *Enarrationes in Psalmos* LIV 24 [vers. 23] *PL* XXXVI, col. 645; cf. *Contra Epistulam Permeniani* I.11 (7), *PL* XLIII, col. 46; II 3 (6), *PL* XLIII, col. 53; *Contra Litteras Petiliani* II 96 (222), *PL* XLIII, col. 333.

[107] E.g. *Ep.* 108.5 (14), *PL* XXXIII, col. 414: *quorum duces . . . cum suis cuneis deduxerunt "Deo laudes" inter rantica conclamantes*; *Contra Litteras Petiliani* II, 65 (146), *PL* XLIII col. 306.

[108] *Contra Donatistas Epistula vulgo de Unitate Ecclesiae Liber Unus* 19 (50), *PL* XLIII, col. 421; *Ep.* 185.4 (15), *PL* XXXIII col. 799. It ought to be stressed that this particular manner of achieving martyrdom was totally unpalatable to the more cultivated Donatists like Tyconius, who expresses his disapprobation in the clearest terms (n. 95 above). Aug. *Ep.* 23.6, *PL* XXXIII, col. 97: *Vivunt ut latrones, moriuntur ut circumcelliones, honorantur ut martyres.* Cf. also Theodoret, *Haereticarum Fabularum Liber* IV, 6, *PL* LXXXIII, col. 424, who does not mention the *Circumcelliones* explicitly, but relates one particular episode that he finds amusing.

[109] E.g. *Ep.* 185.3 (12), *PL* XXXIII, col. 798: *Quidam etiam se trucidandos armatis viatoribus ingerebant, percussuros eos se, nisi ab eis perimerentur, terribiliter comminantes*; cf. *ibid.* 4 (15), *ibid.* col. 799.

Augustine himself describes their inhumanity towards others (*in alios immania*) and their savageness that does not spare even themselves (*nec sibi eadem insana feritate parcendo*) as two sides of the same coin.[110] The representatives of a very clearly marked trend in modern scholarship may describe these two phenomena as two extreme manners of social protest, arising from the same kind of social discontent.[111]

So far the picture appears to be simple enough. The Agonistici—or Circumcellions, under their pejorative, more widely known nickname—may be described as a Donatist ascetic movement whose activities may be construed as the expression of protest against the Catholic African establishment. Even some of the orthodox Marxist-Leninist scholars, writing behind the iron screen when historical research was guided by the official party line, admitted that this is what it must have been at its core, but maintained that this core of fanatic Donatist ascetics owed its strength and durability to the massive support of the oppressed classes in the decaying slave-owning society of the Later Roman Empire, i.e. the slaves and the *coloni*.[112]

Yet this is not the whole truth. As already suggested, Augustine's refusal to take seriously the Donatists' disclaimers of responsibility for the Agonistici and their excesses should not detain us from looking more closely into the matter.

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[110] *De Haeresibus Liber Unus* 69, *PL* XLII, col. 43. Other themes of defamatory propaganda that loom large in Augustine's references to the Circumcellions, such as the promiscuity in their sexually mixed bands need not detain us here. A characteristic story about a subdeacon, Primus, who was rebaptized as a Donatist, only because access to women was denied to him by strict Catholic discipline, and who then tempted two *colonae* to desert their *fundus* and join the Circumcellions, *Ep.* 35, *PL* XXXIII, coll. 134–135, may serve as one typical example of what one notable scholar (Peter Brown, *Augustine of Hippo*, London & Boston, 1967, rep. 1979, p. 230), refers to as "Augustine's ruthless journalism": *et nunc cum gregibus Circumcellionum inter vagabundos greges feminarum—gaudens latissimam sibi apertam esse licentiam malae conversationis etc.* This obviously creates the impression that the *greges Circumcellionum* and the *greges feminarum* were mixed crowds without Augustine's explicitly saying so, while his very distinction between the two types of *greges* indicates that a separation did in fact exist, though a group of men and a group of women might of course arrive at the shrine of a Donatist saint (cf. e.g. Brown, *ibid.*, p. 229, about this peculiar mode of saint cult), at one and the same time.

[111] Diligenskij, *op. cit.* (n. 6 above), pp. 96–97; cf. Büttner and Werner, *op. cit.* (n. 6 above), pp. 46–48.

[112] Thus e.g. Diligenskij, *op. cit.*; Büttner and Werner, *op. cit.*, pp. 1–72.

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That these disclaimers were justified at least in some cases may be borne out by one particular instance. Optatus of Milevis[113] relates two episodes which he associates with one another. The Circumcellions figure in both, but the Donatist authorities seem to have followed a diametrically opposed policy in each. Both took place in southern Numidia, in the vicinity of Bagae, in the early forties of the 4th century.

The first episode bears all the external signs of a popular uprising against excessive economic oppression. It all started when an "insane multitude" (*multitudo insana*) went on the rampage, led by two men of uncertain origin and position, Axido and Fasir.[114] No one could be secure in his possessions any longer. Creditors were forced to cede the deeds signed by their debtors, and could no longer exact their due. If they hesitated their lives would be in grave danger. Those who ought to have been implored for their generosity were compelled to beg for safety in their fear of death. They hastened to give up immense debts and considered it a great profit to have got away with their lives. Roads became infested with danger. Landlords were dragged down from their chariots and were made to run before them instead of their slaves who took their seats on the chariots. In fine the right order of things was reversed as master and slave exchanged their positions.[115]

All these outrages are said to have been instigated by Donatist bishops and committed by the Agonistici. Their leaders, Axido and Fasir, were styled by their followers "leaders of saints" (*sanctorum duces*).[116] Optatus, who derides this title, makes, however, no attempt to suggest that they held any position in the Donatist ecclesiastic organization, nor does he indicate the existence of any kind of direct connection between them and the bishops charged with having fomented the insurrection.[117] Quite on the

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[113] Optatus, *De schismate Donatistarum* 3.4, *CSEL* XXVI, pp. 81–84.
[114] *Ibid.*, *ibid.*, pp. 81–83.
[115] *Ibid.*, *ibid.*, p. 82.
[116] *Ibid.*, *ibid.*
[117] Otto Seeck, *Geschichte des Untergangs der Antiken Welt*, Stuttgart, 1921, rep. Darmstadt, 1966, vol. III, p. 338 links with their activity Augustine's statement (*Enarratio in Psalmos* I.5, *PL* XXXV, col. 134): *Video plane mira opera, quotidianas violentias circumcellionum sub episcopis et presbyteris ducibus circumquaque*

contrary, it is the Donatist bishops themselves who applied to the *comes* Taurinus and requested him to put down these rebels, with the plea that "such people could not be brought into order within the church" (*huiusmodi homines in ecclesia corrigi non posse*).[118] Taurinus readily obliged, and the soldiers he sent out against them perpetrated a horrible massacre at the market of Octava (Locus Octavensis). The victims were denied burial in the Donatist churches (a priest of the village of Subbula who tried to bury some of them was ordered by his bishop to dig them up again). Their bleached bones could still be seen at the site of the massacre when Optatus was writing.[119]

Even in terms of Optatus' biased account much more is involved in this story than a shammed disclaimer of responsibility. The movement led by Axido and Fasir appears to have made no distinction between Catholic and Donatist grandees. The natural interpretation of Optatus' admission that it was quelled thanks to the initiative of Donatist bishops ought to have been that it had very little to do with the Agonistici who accepted these bishops' authority, and that the depiction of the movement as sponsored and led by Donatists is but a ploy of Catholic propaganda. Such an interpretation might still be countered by the one suggested by Optatus himself—namely that it was indeed set in motion by Donatist bishops, and was meant to function within the usual framework of anti-Catholic terrorism, but somehow got out of control.[120] Yet if this had been the case, we might have expected Optatus to identify its leaders, Axido and Fasir,

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volitare et terribiles fustes Israeles vocare etc. This is artificial and not warranted by the contexts, either in Optatus or in Augustine. The former clearly identifies Axido and Fasir as *duces* but does not claim that they were either bishops or priests. The latter describes Circumcellions whose direct *duces* are Donatist bishops and priests.

[118] Optatus, *ibid.*, *ibid.*, p. 82.

[119] *Ibid.*, *ibid.*, pp. 82–83.

[120] This seems to be the widely accepted interpretation. See e.g. Martroye, *op. cit.* (1904), p. 398; Frend, *op. cit.* p. 176; Minor, *op. cit.* pp. 182–183. A modified form of this interpretation is to be found in the discussions of such Marxist scholars as Th. Büttner, in Büttner & Werner, *op. cit.*, pp. 58–59, and Diligenskiy, *op. cit.* pp. 99, 101–102, according to whom the Circumcellions constituted an extremist movement of social protest within the Donatist church, and as such they were never blindly obedient henchmen of the spokesmen of the institutionalized Donatist church. There is probably some truth in this interpretation. Tyconius (cf. n. 95 above) clearly distinguishes between *circumcelliones* and *ceteri fratres*, and censures the former's manner of life. This obviously

as Donatist clerics, and proceed to denigrate the Donatist establishment on the basis of this identification along the lines familiar from Augustine.

It is, however, the second episode related by Optatus that makes his own suggestion extremely improbable. It is connected with the arrival in Numidia of two imperial emissaries, Paulus and Macarius, with sums of money to be distributed in alms among the afflicted poor of the province and relieve them of their debts. It is hard to see whether any long term purpose of imperial policy might have really been served by such a gesture which could have been only very limited in scope any way. Optatus, however, describes it as an attempt to recall individual recipients of imperial charity to ecclesiastical unity.[121] This appears to have been precisely what such Donatist bishops as Donatus of Bagae (mockingly referred to as *alter Donatus* by Optatus) appear to have feared.[122] He therefore summoned the Agonistici[123] of his diocese to stir up a sufficient amount of public disorder to disrupt the operation. Optatus insists that these Circumcellions were the same kind of people as those who had previously supported Axido and Fasir. The unlikelihood of this is self-evident. Axido and Fasir's movement drew upon people afflicted with debt, and unrelenting creditors seem to have been its main victims. Would these self-same people have readily struck against imperial benefactors who had come to help them to settle their debts?[124] Moreover, can we credit the relatives of these massacred by Taurinus at the instigation of Donatus and his peers to have been of such short memory as to forget the identity of

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means that some of the people referred to as *circumcelliones* professed Donatism, but it does not mean that all those referred to by Optatus and Augustine as *circumcelliones*, and identified by them as *agonistici*, were really such.

[121] *Ibid.*, *ibid.*, p. 81: *qui pauperes ubique dispungerent et ad unitatem singulos hortorentur.*

[122] *Ibid.*, *ibid.*, p. 81 cf. 83.

[123] *Ibid.*, *ibid.*, p. 81: *Circumcelliones agonisticos nuncupans, ad praedictum locum ut concurrerent invitant.* It is Optatus who insists on the full identity of the Agonistici with the Circumcellions, and on that of both with the followers of Axido and Fasir. Tyconius, who disapproves of the Circumcellions, may well have comprised the Agonistici among the *ceteri fratres*, whose way of life he commends, and of Axido and Fasir he will almost certainly have said, together with other Donatist ecclesiastics: *Quid ad nos?*

[124] The application of *clementia* in the pacification of the Bagaudae trouble by Maximian, and the preparedness of Valentinian III's government to adopt a similar policy at the behest of Germanus of Auxerre, occur to one's mind

those who had wronged them whilest the unburied corpses of their friends and relatives were still rotting in the slaughter field near Octava?[125]

At any rate, the outcome of the episode was once again a massacre. The Agonistici convoked by Donatus of Bagae clashed with a number of soldiers who had arrived in the city to take provisions for their contingent. The entire unit rushed into the city and a bloodbath ensued. This is Optatus' story. Yet he himself admits that the military force in question was present in the area in consequence of an appeal by Macarius and Paulus to the *comes* Silvester to put an end to the violence of the Agonistici. Needless to say, the victims of this massacre were to be venerated for decades as Donatist martyrs, in clear contrast with the followers of Axido and Fasir.

The conclusion that Optatus has lumped together two totally unrelated stories in order to describe the Donatist bishops as responsible for the upheaval occasioned by Axido and Fasir becomes almost inevitable. His objective was in all likelihood to alienate some Donatist landlords who had been hit by the gangs of Axido and Fasir by branding them as Agonistici. This kind of propaganda might be expected to be effective since both these gangs and the Agonistici appear to have been recruited among people of a similar social standing. But whereas the former gave vent to their bitterness by striking against their immediate oppressors, the latter were led to believe that salvation might be obtained only through the Donatist Church. For the Agonistici the Catholic Church was the ultimate source of all evil, not least that of social injustice. Of the gangs of Axido and Fasir the Donatist establishment was as resentful as its own propertied members, whereas to the Agonistici it granted its material support and spiritual guidance, organizing them as task forces against its enemies.

Who were then Axido and Fasir? They are known to us only by these ethnic names. Were they indeed the chosen leaders of the downtrodden peasanty in Numidia, who took up arms in

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(cf. pp. 141–142 and pp. 150–151 above). From the Donatists' point of view the attempt to combine this display of imperial generosity with the promotion of the Catholic church may have been the devil's device; hence the alarm sounded by Donatus to the Agonistici.

[125] Optatus, *ibid.*, *ibid.*, pp. 82–83.

their misery against the established order?[126] Or were they rather the chiefs of poverty stricken seasonal workers, driven in their desperation to rebellion?[127] Both these elements may well have constituted components of the movement. Runaway slaves may undoubtedly be added. The association with the Bagaudae presents itself readily,[128] but given the wide range of different phenomena to which this name has been applied, caution is imperative. It ought to be pointed out that the whole conception of Axido and Fasir as the leaders of a spontaneous popular revolt has little to support it in the only source that mentions them.[129] I say nothing to suggest that they were the *chosen* leaders of the movement, which would have implied the spontaneity of its formation.

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[126] Optatus himself says nothing definite about the status or occupation of Axido and Fasir's followers. From what he does say it turns out that cancellation of debts was their main concern (*ibid.*, *ibid.*, p. 82). The servile or dependent status (as *coloni*) of some of them is indicated by their practice to stop chariots on the way and force masters to exchange places with their footmen (*ibid.*, *ibid.*).

[127] See n. 98 above. Tengström, who accepts Saumagne's hypothesis in a qualified manner, and regards the *circumcelliones* as an *ordo* of seasonal labourers in the olive plantations of Southern Numidia, who roved about the whole province and the border regions of adjacent provinces when laid off out of harvest season (*op. cit.*, pp. 27–56), assumes that as fanatic Donatists, their main objective during the uprising of Axido and Fasir was to further the interests of their co-religionists among the *coloni* against Pagan and Catholic creditors (pp. 70–71). This, however, fails to account convincingly for the appeal of *Donatist* Bishops to Taurinus to restrain them. It does not mean that some of the seasonal workers postulated by Tengström did not find their way into the rebels' ranks. The main weakness of Tengström's argument seems to lie in his tenacious belief that wherever the term *circumcelliones* is used there is basically only one meaning behind it, i.e. its sense in *CTh* 16.5.52. See n. 98 above.

[128] Not only in Marxist Soviet literature (e.g. Aplatow, *op. cit.*, p. 15), but also scholars like Martroye, *op. cit.* (1904), pp 396–397; Frend, *op. cit.*, pp. 73; 248; 330–331, tend to associate the Circumcellions with the Bagaudae. For all those who identify Axido and Fasir's supporters as Circumcellions, the association with the Bagaudae would cover these supporters as well.

[129] Such a conception is implicit in almost all the modern reconstructions of the rebellion. See Martroye, *op. cit.*, p. 397; Frend, *op. cit.*, p. 176; Mashkin, *op. cit.*, pp. 91–92; Diligenskij, *op. cit.*, p. 101. Büttner, *op. cit.*, p. 43, regards the movement headed by Axido and Fasir as a new breakthrough: "nicht mehr einzeln oder in kleinen Gruppen . . . sondern nunmehr in grösseren organisierten Vereinigungen etc.". She does not make it quite clear whether she thinks this superior level of organization to be the consequence of the initiation of the rebellion by Axido and Fasir themselves or of the imposition of their leadership on a movement which had started spontaneously. Elsewhere (p. 50) she characterizes the whole movement as "keine breite Befreiungsbewegung, sondern lediglich . . . spontane Einzelaktionen". The Circumcellions, she argues, turned up only in places where special hardship

If the example of the Bagaudae is at all valid in this case, it is mainly by serving as a reminder that the afflicted lower classes in the later Roman Empire did not tend to band together spontaneously to bring about a social revolution. A powerful leadership should always be sought at the core of apparently spontaneous mass-movements. Its aims and aspirations are as important for the understanding of the movement they set in motion as the grievances of the masses which are swept along.

Axido and Fasir were therefore most probably the instigators of the rebellion and its leaders right from the start, rather than the chosen leades of a rebellion that had erupted spontaneously. They may have been the chiefs of a well organized gang of brigands that gained popularity in the Numidian countryside by its Robin Hood tactics. The ethnic names under which they became known to posterity may indicate that they attempted to pose as leaders of an ethnic revolt. In any case, hostility to the Catholic Church, which was widely regarded as part and parcel of the establishment, will have been a dominant sentiment in any anti-establishment movement.[130] In such an atmosphere, attempts on the part of Axido and Fasir to court Donatist bishops for support are conceivable.[131] It is not less conceivable that such approaches, if made, were rebuffed, since there is no valid reason to assume that Donatist disclaimers of responsibility for each and every subversive enterprise in Africa were necessarily untrue. This course of events will have given some credence to Optatus' version among his readers at the time in spite of the internal contradictions from which it suffered. Its effectiveness is still manifest in modern reconstructions in which Axido and Fasir's gangs are universally treated as Circumcelliones-Agonistici.

Very much remains a matter of speculation. One thing is, however, clear. The revolt led by Axido and Fasir, whatever its

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had already caused slaves and *coloni* to rise up against their masters (pp. 50–51). The truth may be rather the opposite: it was *their* appearance in areas where the affliction of the lower classes reached unbearable proportions that sparked off rebellion.

[130] See esp. Frend, *op. cit.*, pp. 320– 330; Diligenskij, *op. cit.*, p. 97. Büttner, *op. cit.*, p. 23, cf. pp. 65–71.

[131] The title *duces sanctorum* might, however, be used regardless of whether the rebellion was sponsored by the Donatist establishment or not. The example of a gang leader who enjoyed a saint's cult posthumously in Gaul occurs to one's mind; see p. 148 above.

origins and its aims was nipped in the bud. On the other hand the Agonistici continued to dominate the African scene for many more decades, and the secular authorities seem to have been as helpless against them as the Catholic Church had been against the Donatists. The very durability of the movement facilitated the work of Catholic polemicists: The Agonistici could serve as the obvious villains in every case of brigandage, in every case of violence committed by desperate peasants against their oppressors, and in every case of more widely spread public unrest. The sole exceptions were cases in which imperial propaganda had its own clearly marked villain of the piece.

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Such was the case of the revolt of Firmus which broke out in Mauretania in 372 and was suppressed only in 375 by the *comes* Theodosius, father of the future emperor. Ammianus' detailed account makes it perfectly clear that it was fundamentally an ethnic uprising, fuelled by the dynastic rivalries within one family of superficially Romanized Moorish kinglets.[132] Firmus, who had fallen foul of the Roman government and raised the banner of rebellion, is described by him first and foremost as one "who revolted from the rule of the empire, and sought the help of neighbouring people".[133] According to Orosius he had himself proclaimed king of the Moorish peoples.[134] As in the case of the Bagaudae leader, Amandus, there is a hint of imperial pretensions. The *Cohors IV Sagittariorum Eq.*, stationed at Sugabarritanum, defected to him, and so did the *Pedites Constantiani*, one of whose tribunes allegedly crowned Firmus as emperor with a neck-chain instead of a diadem.[135] Yet this move, in all likelihood hardly initiated by Firmus himself, failed to gather momentum. Not enough regular units of the Roman army joined it to make Firmus 'worthy' of the title *tyrannus*.[136] Ammianus and Orosius

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[132] For a detailed discussion of Firmus' revolt as reflected in Ammianus' account, John Matthews, *op. cit.* (cf. n. 27 above), pp. 367–376.

[133] Amm. XXIX.5.3: the translation of the corrupt passage, whose meaning is, however, perfectly clear, is that of J.C. Rolfe in the *LCL*; cf. *ibid.* 14.

[134] *Historia adversus Paganos* VII.33: *Maurorum gentibus regem constituens.*

[135] Amm., *ibid.*, 20; cf. *CIL*.VIII.5338.

[136] According to the anonymous author of the *Passio Sanctae Salsae*, Firmus' enterprise was a *labes tyrannidis* of a *degener gentilis* who ventured *sibi imperii dominatum contra ius fasque . . vindicare.* The two themes, that of an ethnic revolt

appear to follow the authorised imperial version when they depict him as an ethnic rebel and not as a usurper.

So does also Augustine, for whom Firmus is a *rex barbarus*, or *rex barbarorum*.[137] One might perhaps expect him to describe the rebel as a leader of bands of Circumcellions. After all, the ranks of his supporters included, in all likelihood, people of the same humble and down-trodden social stratum as the ones who had joined Axido and Fasir in Numidia, three decades earlier. One anonymous source describes them *catervae praedonum*.[138] Moreover, Firmus is known to have courted the support of Donatist bishops.[139] These, in turn, used him in order to persecute a schismatic group, led by Rogatus, bishop of Cartenna, who had broken away from their own church.[140] One of the main issues under dispute which had given rise to the schism was the Rogatists' objection to the wild and lawless conduct of the Circumcellions.[141] There is therefore every reason to believe that at least those of Firmus' supporters who were sent out to molest the Rogatists included Circumcellions.[142] Yet in spite of all these facts Augustine chimes in completely with the official version, and with good reason: the accusation that the Donatists co-operated with

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and that of an attempted usurpation, are here coupled together. The passage is quoted from S. Gsell, "Tipasa", *Mélanges d'archéologie et d'histoire* 14 (1894), p. 311; the edition in the *Catalogus Codicum Hagiographicorum* is not accessible to me when writing this paper.

[137] *Contra Epistulum Parmeniani* 10 (16); *PL* XLIII, col. 46.

[138] See *Passio Sanctae Salsae, apud* Gsell, *ibid.*, p. 312.

[139] Amm., *ibid.*, 15: *nequid ultimae rationis omitteret, Christiani ritus antistites oraturos pacem cum obsidibus misit.* That these *antistites* were Donatists (apparently much more readily available on the scene than Catholic churchmen) will emerge from the quotations in the next note. It might indeed be considered grossly imprudent to send such people to negotiate with the Catholic Theodosius, but Firmus who prayed to Saint Salsa before the walls of Tipasa (see n. 136 above) may have been only very dimly aware of the difference between Catholics and Donatists.

[140] *Contra Epistulam Parmeniani, ibid.*: *quae ab eis Rogatus ille Maurus per regem barbarum Firmum, quam saeva et quam accerba perpessus sit* (this is directed against the Maximianists, but when they were still within the Donatist church, hence against the Donatists); cf. later on in the same passage: *Fortassis enim dicunt graviora se perpessos a Catholicis imperatoribus quam isti fecerunt per reges barbarorum Rogatistis.*

[141] Aug. *Ep.* 93.3(11), *PL* XXXIII, col. 326: *mitiores quidem videmini, quia cum Circumcellionum immanisimis gregibus non saevitis*; cf. *ibid.* 11(49), *ibid.* col. 345: *Potes enim tu in tam paucis collegis tuis, et in omnibus clericis vestris nullum invenire forsitan ebriosum*; cf. Frend, p. 197.

[142] According to Frend, p. 73: "The revolt resembled a Bagaudic rising"; cf. Gsell, *op. cit.*, p. 311.

a rebel against the empire is even heavier than that of fomenting and supporting brigandage. One might only speculate what kind of account Augustine would have given of Firmus' revolt, if it had been crushed as swiftly and as easily as that of Axido and Fasir, before it could ever intrude itself upon the attention of the central imperial government.

The complexity of the terminology used by Augustine in his anti-Donatist polemic is further examplified by his treatment of Gildo's revolt in alliance with the powerful Donatist primate, Optatus of Thamugadi.

Gildo was Firmus' brother, who had collaborated with the *comes* Theodosius in the suppression of his brother's revolt. As a reward he had been nominated, apparently by Theodosius I, to a special command—*comes et magister utriusque militiae per Africam.* It was a sensitive position that placed the entire Roman army in Africa under his command. A full discussion of the considerations behind the appointment of a local chieftain to such a position lies outside the scope of the present paper; so does the story of his vacillating loyaty to the empire from his nomination to the outbreak of his revolt in 397. Suffice it to say that during its first phase Gildo seems to have counted on the support of all the regular Roman military forces under his command. This is indicated by emergency measures of mobilization taken by Stilicho at the time. The general levy of recruits was to be carried out everywhere, even on the lands of the *Res Privata,* without the possibility of commuting service for gold, and even slaves owned by senators do not seem to have been excluded. Gradually, however, these stringent measures were relaxed.[143] Senatorial pressure is not good enough an explanation for this[144] in view of the issue at stake—the danger of losing Africa, the most important granary of Italy. Stilicho's government appears to have been aware of a vast erosion of the support enjoyed by Gildo in the army.[145] The relatively small task force ultimately sent to Africa

[143] See A.H.M. Jones, *The Later Roman Empire 284–602, A Social, Economic and Administrative survey,* Oxford, 1973, pp. 183–184, cf. 364–365.

[144] As suggested by Jones, *ibid.,* p. 184, and esp. p. 365.

[145] Orosius, *Adversum Paganos* 7.36.8–10; the mass defection of regular units from Gildo's army during his decisive encounter with Mascazel and the consequent discomfiture of his barbarian forces may well have been only the culmination of a process that had started some time before.

under Mascazel,[146] Gildo's brother, who was conducting a typical feud against him, and the easy victory won by this force, point in the same direction.

Two points are essential for the understanding of Augustine's attitude to Gildo: first, Gildo's depiction by imperial propaganda, and second, his alliance with the Donatists. His military command and the apparent support rendered to him by the African army at the outset of his revolt might well have entitled him to be depicted as a fully fledged *tyrannus* in imperial propaganda. Yet there is hardly any indication that this was the case. He himself never had himself officially proclaimed emperor. His game, as indicated by his negotiations with the court of Constantinople, seems to have consisted only in an attempt to swap the nearer authority of the Western Empire for the remoter authority of the Eastern, increasing thereby his virtual independence, without changing his official status. Orosius' words, *Africam excerptam a societate republicae sibi usurpare ausus est, gentili magis licentia contentus quam ambitu regiae affectationis inflatus,*[147] seem to be a fair reflection of Gildo's presentation in imperial propaganda. Augustine insists that many of the Donatist bishops had been *Gildonis satellites.*[148] This is true of particularly one, Optatus of Thamugadi, whose adulation of the rebellious *comes* is described as verging on the profane.[149] Time and again he appends an epithet derived from Gildo's name to that of Optatus in order to stigmatize the latter as *Optatus Gildonianus.*[150] In one place he strongly

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[146] *Ibid.* 6.

[147] *Adversus Paganos* 7.36.3; for his attempt to transfer his allegiance to the Eastern Empire, see *ibid.*, 2. The case of Tibatto, under whose leadership *Gallia ulterior... a Romana societate discessit* (see n. 71 above), occurs to one's mind.

[148] *Ibid.* 2.101(232), *PL* XLIII, col. ·338 = *CSEL* LII, p. 148.

[149] *See Contra epistulam Parmeniani* 2.4(8) = *CSEL* LI, p. 148; *Contra Cresconium* 3.13.16, *PL* XLIII, col. 501 = *CSEL* LII,p. 423. After Gildo's fall he was imprisoned, accused *de satellitio Gildonis*, and seems to have died in prison; *Contra litteras Petiliani* 2,92(209), *PL* XLIII, col. 330 = *CSEL* LII, pp. 134–135. On the enthusiasm with which he sponsored Gildo's case, see *Contra litteras Petiliani* II.23(53), *PL* XLIII, col. 277. Optatus, who *tacito nomine agnoscitur,* is the one alleged to have regarded it as a great praise when he was told *quod Comitem* (sc. *Gildonem*) *haberet deum.*

[150] *Contra Crescanium* 60(66), *PL* XLIII, col. 532; *De Gestis eum Emerito* 9, *ibid.*, col. 704. See also n. 153 below. Cf *Contra litteras Petiliani* II.83(184), *PL* XLII, col.316: *Tempore Gildoniano.*

implies that Gildo was in essence a *rex barbarorum*, just like his brother Firmus.[151]

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Optatus' use of his alliance with Gildo to persecute both Catholics and Maximianists is a theme that looms large in Augustine's works written after the suppression of Gildo's revolt.[152] Optatus had however been the bishop of Thamugadi for several years before the revolt openly broke out. Augustine describes him metaphorically as "the ten years' long groaning of all Africa".[153] Circumcellion activity seems to have reached one of its highest peaks during the years of his supremacy.[154] Strangely enough, Augustine, who speaks of *armatae turbae* he unleashed against the Catholic church,[155] fails to describe them in that specific context as Circumcellions, whereas in other contexts he is on the whole not as clear as might have been expected in linking either Optatus or Gildo with the Circumcellions.[156]

Does this mean that Augustine is basically aware of truthfulness of of the Donatist bishops' denial of responsibility for the

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[151] *Contra epistolam Parmeniani* II.11(17), *PL* XLIII, col. 46. The true subject of the passage is Firmus as the persecutor of the Rogalists, but the words *quam isti fecerunt per reges barbarorum* possibly include an oblique reference to Gildo, as well. Tengström's interpretation (*op. cit.*, p. 82) that the plural *reges barbarorum* is a rhetorical counterbalance to *imperatores catholici*, or else that it is used merely in a generalized sense is of course possible, but it should not be forgotten that we are here concerned with a composition written a very short time after Gildo's fall, and in which Gildo figures in a number of places as an active supporter of the Donatists' case, not unlike his brother Firmus.

[152] For the collection of the source material, see Martroye, *op. cit.* (1905), pp. 26–29; Frend, *op. cit.*, pp. 208–226.

[153] *Contra epistulam Parmeniani* 2.2(4), *ibid.* col. 51: "*Optatum Gildonianum decennalem totius Africae gemitum*; cf. *Contra litteras Petiliani* I.24(26): *sub uno Optato Gildoniduo decennalem totius Africae gemitum.*

[154] *Contra epistulam Parmeniani* 1.11(17–18), *PL* XLIII, coll. 46–47 = *CSEL* LI, pp. 38–39; *ibid.* 3.3(18), *PL* XLIII, col. 96; *Contra litteras Petiliani* 1.24(26), *PL* XLII, col. 257.

[155] *Contra litteras Petiliani*, 2.83(184), *PL* XLIII, col. 316.

[156] Of the two passages cited from the *Contra ep. Parm.* in n. 154 above, the first describes the Circumcellions as still active, and still very well organized, after Gildo's downfall, but does not mention Optatus, as the organizer. The second lists a whole series of evils most of them connected with or imputable to the Circumcellions (hardly, though, the *tanta turba raptorum, avarorum, feneratorum*), and adds that many well known Donatists would have been just like Optatus if they could. The third mentions the *furor Circumcellionum* in close connection with the *decennalis gemitus* of Africa, but does not present

Circumcellions and their excesses?[157] Such an explanation would be extremely unlikely in view of the fact that he does ascribe to Optatus the organization of *armatae turbae.* If such an accusation did have any foundation in reality, bands of Donatist fanatics would constitute the core of this organization. It ought to be remembered that the Donatists never denied the Agonistici in the same way as they denied the Circumcellions, whilst the identification of these as Circumcellions was a well known ploy of Catholic propaganda. If there was then any truth in the accusations levelled by Augustine against Optatus, what prevented him from explicitly characterizing his *armatae turbae* as Circumcellions?

That there was *some* truth in these accusations can hardly be denied. Augustine could hardly have told blatant lies about things that had happened only a short while before he wrote. Throughout he appears to be as extremely able propagandist, who would hardly have used a ploy that would have rendered his propaganda totally ineffective at the very start. In his depiction of the years of Optatus' ascendancy he always insists on Optatus' misdeeds as on a well known fact and concentrates his attacks on his colleagues' attempts either to deny them or to dissociate themselves from him.[158] The denials of Optatus' guilt he dismisses as ridiculous: at least one of his major crimes, his implication in Gildo's revolt, was such a well known fact that it could hardly be denied,[159] and even the greatest skeptics of

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Optatus as the one who had fomented this *furor* (contrary to the suggestion of Frend, *op. cit.*, p. 210, n. 1).

[157] For such emphatic denials (cf. n. 96 above), see in our present case esp. the first reference in n. 154 above.

[158] *Contra litteras Petiliani* 1.24(26), *PL* XLIII, 257: *Itaque propter eos qui mala eiusdem partis Donati, quae omnes vident et reprehendunt, fingunt se non videre, usque adeo ut etiam de ipse Optato dicant, Quid fecit? quis eum accusavit? quis convicit? Ego nescio, non vidi, non audivi* (the plea for Optatus' innocence rested apparently on the argument that he had never been formally accused, because he had died in prison before charges could be brought against him).

[159] *Ibid.* 2.83(184), *PL* XLIII, col. 316 = *CSEL* LII, p.113; cf. *Contra epistulam Parmeniani* 1.4(8), *PL* XLIII, col. 56 = *CSEL* LI, p. 54: *tales estis et vos omnes, qui et illi collegae et ili plebi communicastis, cum illum tota Africa Gildonis Satellitem manifesto gemitu declararet.* What is well known in the whole of Africa can hardly be denied; *Contra Cresconium* 3.13(16), *PL* XLIII, col. 504 = *CSEL* LII, p. 423, dismissing the plea that Optatus had not been officially charged: *Sed iam dixi, senti de Optatu quod vis: neque enim unde convincamus eum, qui non apud acta commisit; quae tamen ita commisit, ut inter Gildonis satellites praecipuus haberetur, teneretur, moreretur.*

Augustine's propaganda find it difficult to deny today.[160] The Donatist bishops' attempts to dissociate themselves from Optatus he counters with contention that the all-powerful bishop of Thamugadi was not excommunicated by them, while he was at the apogee of his power. Furthermore as a consummate propagandist he even shows understanding: an excommunication of Optatus at the time might have caused an ultimate incurable schism within the Donatist church, but this, he contends, is inherent in the very evil nature of schism, that one schism engenders another.[161] All this can be effective only if it rests on some solid universally known and universally acknowledged facts.

Why then does Augustine stop short of expressly branding Optatus as the arch-leader of the Circumcellions? One passage in which the Circumcellions and Optatus are closely associated is especially revealing: *Ad summam seipsos interrogent. Nonne tolerantur ab eis caedes et incendia Circumcellionum, qui sunt veneratores praeciptatorum ultro cadaverum, et sub incredibilibus malis unius Optati per tot annos totius Africae gemitus?* It is his use of the word *sub* which especially significant. In its context it creates both a temporal and a conceptual relation between the crimes ascribed to the Circumcellions on the one hand, and those ascribed to Optatus alone on the other. Temporally it implies that the perpetration of crimes by both Optatus and the Circumcellions coincided.[162] Thus Optatus is brought into close connection with the Circumcellions but is not definitely denounced as responsible for them. Conceptually, this same word implies that even such outrageous crimes as those of the Circumcellions were not as serious as those committed by Optatus, and that the former were somehow committed under the influence of the latter.[163] This has the effect of depicting Optatus as indirectly responsible though he is not branded as directly responsible.

The question is why Augustine needs this set of fine distinctions. part of the answer is to be sought in the present tense of

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[160] Thus Tengström, *op. cit.* pp. 85–90; cf. however Brown, *op. cit.*, p. 230, whose attempt to exonerate Optatus does not carry conviction.

[161] Thus, e.g. the passage quoted from *contra ep. Parmen.* in n. 159 above, and cf. esp. *Ep.* 87.4–5, *PL* XXXIII, col. 298–299 = *CSEL* XXXIV–2, pp. 400–401; *ibid.* 8, *PL*, XXXIII, col. 300 = *CSEL* XXXIV–2, p. 404.

[162] *Sub* with the *abl.*, cf. e.g. *LS s.v. Sub* I B, and C3.

[163] *Ibid.* I B 3.

the verb *tolerantur* at the beginning of the passage. Circumcellion activity did not cease with the collapse of Gildo and Optatus, and Augustine is intent on implicating the surviving Donatist prelates in their crimes. To have linked those crimes too closely with the defunct Optatus alone might have defeated his purpose. This is not, however, the whole truth. Gildo had been officially proclaimed *hostis publicus* and the implication that Optatus' *armatae turbae* had been placed at his disposal was far more deleterious than merely characterizing them as bands of Circumcellions. That Augustine does not make such an open accusation may be apparently due to this reluctance to propound a blatant untruth. Gildo drew on regular units of the Roman army at the outset of his revolt and increasingly on Mauretanian recruits in its later phases. The bands of the Agonistici and their followers were not always sufficient even for Optatus' own purposes, and at least on one specific occasion, during his campaign against the Maximianists in Musti and Assuras, he himself drew upon the support of Gildo's soldiers.[164] Once again, Augustine's anti-Donatist propaganda is rendered more effective precisely because it chimes in with a major theme of imperial propaganda.

One more observation ought to be made. Optatus' ascendancy in the African Donatist church (c. 388–398)[165] coincided with the reigns of the Catholic emperors Theodosius I and Honorius. Yet if Augustine is to be credited, it was precisely then that Circumcellion strikes against Catholics and their property reached an especially high level of intensity. There seems little reason not to accept his contention that during this phase it was mainly the activity of Donatist fanatics, tacitly or openly prompted by the Donatist establishment. In other words, behind the *nomen contumeliosum*, Circumcellions, the Agonistici ought to be sought. One might have expected some stringent measures on the part of the secular authorities in order to restrain them and bring to justice the Donatist prelates accused by Augustine of standing behind them. Yet the phase of active imperial anti-Donatist policy

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[164] See Frend, *op. cit.*, pp. 22–223, and cf. the skeptical Tengström, *op. cit.*, pp. 88–89, who does not deny the historicity of this event.

[165] The dating emerges from Augustine's repeated references to Optatus' ten years' long reign of terror; see p. 172 and n. 153 above.

lay in the future.[166] The years of Optatus' ascendancy are characterized rather by the use of Roman imperial officials by the Donatists themselves against the Maximianists. According to one scholar "at this time the Donatists had achieved something in the nature of recognition that they were the 'Catholic Church' in Africa".[167]

This is of course an exaggeration. Augustine gives no indication that the civil authorities could be manipulated by the Donatists against the Catholics themselves. What he does say is enough, however, to show that Roman governors were either indifferent when suits against Donatist prelates pursuing a policy of violence were made before them by Catholics, or else, completely ineffectual. Such was a suit against Optatus, before the *vicarius* Seranus in 395 or 396, in which an attempt to make him liable to a fine of ten pounds of gold proved abortive.[168] Augustine, who is on the whole well in tune with the imperial propaganda in his anti-Donatist treatises,[169] utters no word of open criticism against the government, but he does drop one significant hint concerning imperial religious policy in Africa in the decade before Gildo's revolt. The three proconsuls of Africa who were called upon by the Donatist establishment to pass judgment against the Maximianists, Herodes,[170] Theodorus[171] and Seranus,[172] were pagans.[173] The recurrent nomination of pagans to the much coveted office of proconsul of Africa cannot have been accidental. At a juncture where the strength of the Donatist Church in Africa appears to have reached its apex, and the need to

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[166] See Frend, *op. cit.*, pp. 244–289; cf. Büttner, *op. cit.*, pp. 65–68.

[167] Frend, *op. cit.*, pp. 208–226, esp. 219.

[168] *Contra litteras Petiliani* 2.83(184), *PL* XLIII, col. 316. Frend, *op. cit.*, p. 240 and n. 7, thinks that the Catholic suit was against Primian, but the context in Augustine's statement makes it perfectly plain that it was against Optatus; cf. Martindale, "Seranus", *PLRE* II, p. 992.

[169] For the line followed by Augustine in his anti-Donatist polemics, see Frend, *op. cit.*, pp. 227–243.

[170] See Jones *et al.*, "Flavius Herodes 4", *PLRE* I, pp. 426–427.

[171] See Martindale, "Theodorus 9", *PLRE* II, p. 1086.

[172] See Martindale, "Seranus", *PLRE* II, p. 992.

[173] *Contra litteras Petiliani* 2.58(132), *PL* XLIII, col. 303 = *CSEL* LII, p. 93: *Si enim secundum legem Christi agebatis, quanto congruentius secundum eam constituunt aliqui Christiani imperatores* (this should justify Catholic appeals to the imperial court), *si possunt secundum eam iudicare pagani proconsules?* Augustine's statement here has been noted by both Frend, *op. cit.*, p. 219, n. 4, and Tengström, *op. cit.*, p. 88, who, however, do not draw the obvious conclusion from it.

conciliate it appears to have been recognized by Stilicho's administration, it will have been a clever device to nominate men who would have few compunctions in following such a conciliatory policy.

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The present analysis of the use of the term *Circumcelliones* has led to the following conclusions.

Not less, perhaps even more than the term *Bagaudae* it covers a wide range of meanings. In official imperial terminology it refers to a legally defined category of the population in the African provinces. Its exact identity eludes further definition in the present state of our knowledge. Some kind of itinerant hired agricultural labourers may be meant, possibly seasonal workers in the olive plantations of Southern Numidia, though this is by no means certain.[174]

That this was not not the sole meaning even in official imperial terminology is evident from the use of this term in the *Sententia Cognitionis* of the Conference of Carthage, where the *Circumcellionum turbae* whose presence on personal estates involves the confiscation of these estates to the imperial *fiscus* cannot be understood in this restricted sense. In its context the reference is almost certainly to bands of religious fanatics harboured and protected by Donatist landlords (ecclesiastical or secular).[175] As a matter of fact there seems to be no valid reason to believe that this term is used in this context by the imperial special emissary, Marcellinus, in a significantly different sense from the one which it has in a petition made by Catholic bishops to the proconsul Septiminus in 403, and cited in the *Gesta* of the same conference.[176] There the term *Circumcelliones* assumes its usual meaning in Augustine's anti-Donatist works—i.e. that of Donatist fanatics who defend what they believe to be the truth *furiosis . . . violentiis contra publicam quietem.*

Augustine and Optatus of Milevis apply this term to the Donatist Agonistici. To them they impute a great number of acts of

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[174] See pp. 158 and 166, with nn. 98 and 127 above.

[175] *Gesta Collationis Carthaginiensis*, "Sententia Cognitoris", *PL* XI, col. 1418.

[176] *Ibid.*, 174, *PL* XI, col. 1393; *aut si putant (sc. Donatistae) se habere aliquid veritatis, non eam furiosis Circumcellionum violentiis contra publicam quietem, sed tranquilla rationis redditione defendant.*

violence against Catholic landlords and ecclesiastics. Their accusations do not appear to be totally devoid of truth. The Donatists themselves do not seem to have disowned the Agonistici. They did contest the identification of these Agonistici as Circumcellions and denied that they were responsible for the crimes of which they were accused. These denials are far from being convincing. Augustine could not harp incessantly on a totally mendacious theme and still expect his propaganda to be effective. At any rate, the fanatics summoned by Donatus of Bagae to stop Paulus and Macarius' enterprise were venerated as saints in the Donatist church, decades after their massacre by the *comes* Silvester.

Why then did Augustine apply to them this epithet, and why did Donatist prelates so vehemently object to it? The reason seems to be that already by the middle of the 4th century it acquired a number of pejorative connotations among the Latin speaking element of the population in the African provinces. The process may be connected with the life-style of the people properly referred to as *Circumcelliones* in legal language at times when they were not employed in seasonal works. Aggressive begging may well have been their common way of raising livelihood. Hence the application of the term *circumcelliones* to vagabond bodies of aggressive beggars of all kinds, among them groups of fanatics of various heresies; some of them, but not necessarily all, professing Donatism, without the official endorsement of the Donatist establishment. The semantic range of the term appears to have widened still further and it might be applied to gangs of robbers, organized by local crime lords; such were perhaps the gangs led by Axido and Fasir.[177] No wonder that Augustine found a term with such a wide range of derogatory meanings a particularly effective instrument in his anti-Donatist campaign. The Donatists themselves played into his hands, for they could not completely disown the Agonistici. On the other hand Augustine himself cautiously avoided the direct application of this term to the Agonistici when they joined the enterprise of rebels, as Firmus and Gildo, officially recognized in imperial propaganda as such.

Among all the bodies that might be styled Circumcellions, the Agonistici appear to have been the most stable one. They were

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[177] See pp. 162–168 above.

organized and supported by a powerful religious establishment which had been officially pronounced schismatic but was not far from gaining the upper hand throughout Africa in the eighties and the nineties of the 5th century, and at times even enjoyed a semi-recognized status. The economic and social oppression of the strata from which they were recruited cannot be denied, but the fate of Axido and Fasir indicates how easily insurrections of such people could be dealt with, unless they enjoyed the support of such a powerful establishment as the Donatist Church.

When they did enjoy such support, however, they turned out to be an enduring source of trouble and a grievous threat to the Catholic landlords in the African provinces. What such a movement could accomplish, given support and the necessary organization of a powerful establishment is a consideration to be borne in mind when the activity of another movement of social protest is surveyed, this time beyond the frontiers of the Roman empire.

c. *The Mazdakites*

A detailed analysis of a social phenomenon in the Sasanian monarchy lies beyond the scope of the present paper which focuses on the Roman empire in late antiquity. There is, however, some justification for a quick glance at a series of upheavals that shook that monarchy towards the end of the 5th century, for the sake of comparison and contrast. These upheavals are described in a series of Oriental sources in terms of a movement of popular protest, generated by the doctrines of a religious reformer (or rather a false prophet), named Mazdak.[178] The egalitarian character of his doctrines, as they are presented in the sources, has led some modern scholars to describe them as communist. The movement that bears his name is said to

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[178] Detailed surveys of the source material for the Mazdakite affair are to be found in: Arthur Christensen, *Le règne du roi Kawadh I et le communisme mazdakite*, Copenhagen, 1925, pp. 5–89; Otakar Klima, *Mazdak, geschichte einer sozialen Bewegung im Sasanidischen Persien*, Prague, 1957, pp. 7–20; *Id.*, *Beiträge zur Geschichte des Mazdakismus*, Prague, 1977, pp. 40–70. For the transliteration, translation, and analysis of a few Pahlavi source passages that had even escaped the attention of Christensen, see Mansour Shaki, "The Social Doctrine of Mazdak in the Light of Middle Persian Evidence", *Archiv Orientální*, XLVI (1978), pp. 289–306.

have used his teachings as a blueprint for social reform.[179] It has been associated with the Bagaudae and the Circumcellions.[180] Yet if the oriental sources are to be credited, the Mazdakites, unlike the Bagaudae and Circumcellions, did have a clearly defined social ideology and a clearly set target of social reform.

According to the 10th century Arabic chronicle of Tabari, Mazdak and his followers asserted that:–

> God had indeed created means of livelihood on the earth so that mortals might share them equally, but human beings had wronged one another in appropriating them. They therefore proclaimed that they would seize on behalf of the poor from the rich, and render back from those who had plenty of possessions to those in want. (*wa-zaʿamū ʾannahum yaʾkhaḏūna lil-fuqarāʾa mina l-ʾaḡniyāʾa wa-yaraddūna mina l-mukṯirīna lil-muqillīna*). Indeed those who owned a surplus of money, wives or other belongings were not on that account to be considered worthier than others. Now the lowly seized this opportunity and took advantage of it, rendering their protection and assistance to Mazdak and his followers. People were harassed by them, and their cause grew so strong that they would trespass on someone's abode, despoiling him of his home, his wives, and his property (*wa-qawiya ʾamruhum ḥatta kānū yadkhulūna ʿalā r-rajuli fī dārihi fa-yaḡlibūna ʿalā manzilihi wa-nisāʾihi wa-ʾamwālihi*).[181]

In the New Persian poetic version of Firdausi the following summary of Mazdak's doctrine is given:–

> He insisted that whoever happened to be wealthy had his equal in an empty handed pauper (*hamī guft har ko tavāngar būd/tahī dast bā o barābar būd*). No one should be in possession of surfeit, for the

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[179] Apart from the essays mentioned in the foregoing note, the following discussions of Mazdakizsm may be mentioned: Th. Nöldeke, *Geschichte der Perser und Araber zur Zeit der Sasaniden*, Leyden, 1879, pp. 455–474 (still one of the most valuable discussions of the subject). Arthur Christensen, *L'Iran sous les Sasanids*, Copenhagen, 1944, pp. 316–362 (a restatement of his views concerning the movement in his earlier monograph); Ehsan Yarshater, "Mazdakism", in *The Cambridge History of Iran*, Vol. III(2), 1983, pp. 991–1024; see also the bibliography, *ibid.*, pp. 1362–1363. R.N. Frye, *The History of Ancient Iran*, Munich, 1984, pp. 322–325; K. Schippmann, *Grundzüge der Geschichte des Sasanidischen Reiches*, Darmstadt, 1990, pp. 46–52. Further items, relevant to specific points, will be mentioned in the following notes. Descriptions of the movement as "Communist" or "Socialist" occur frequently in modern discussion; see e.g. the title of Christensen's monograph.

[180] See e.g. Büttner, in Büttner & Werner, *op.cit.*, p. 52.

[181] Tabari, *Annales*, I ser., Vol.II, ed. De Goeje, pp. 885–886 (this passage is taken from a sample translation prepared by me for the Ṭabarī Translation Project). A detailed discussion of the historical tradition reflected by Tabari, namely the relation of the various accounts he transmits to the *Khvaday-Namag* and to other sources, lies beyond the scope of the present paper.

> rich are the warp threads, whereas the poor are the cross threads. The world ought to be just in the division of its resources. Surfeits are banned and are moreover evil (*jahān rāst bāyad ki bāshad ba-chīz / fazūnī ḥarāmast u nākhūb nīz*). Women, houses, and other possessions ought to be granted to others, for every empty handed pauper is the same as a rich man (*zan u khāna u chīz bakhshīdanīst / tahī dast kas bā tavāngar yakīst*). I will do justice by means of my pure faith, so that the sublime becomes purely distinguishable from the internal. (*man īnrā kunam rāst bā dīn-i pāk / shavad vezha paydā buland az maǧāk*).[182]

The main difficulty with these passages (as indeed with all the evidence concerning the Mazdakite movement in the Oriental sources) is that they were written a few centuries after the events they purport to describe, and the nature of the sources from which they derive remains very much a matter of speculation. More or less contemporary sources are forthcoming only from outside the Sasanian monarchy, and the information they contain is fragmentary, confused, and inclined to dwell on the sensational. Thus for example, of all the elements of the social reform attributed to Mazdak in the Oriental sources, only one is mentioned, that of wife-sharing. More strikingly, Mazdak himself is completely ignored, and the King, Kavadh I, is pushed into the center of events.[183] Attempts have been made to draw far reaching conclusions from the silences and omissions of these sources.[184] Caution is imperative. It ought to be recalled that

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[182] Firdausi, *Shanama*, ed. Nafisi, Vol. VII, p. 2302. As in the case of Tabari, this is not the place for a detailed discussion of the historical tradition that underlies Firdausi's account (such question as its relation to the *Khvaday-Namag* and to the *Mazdak-Namag*, cf. Christensen, *Kavadh*, pp. 65–71, and Klima, *Beitgräge*, pp. 49–70).

[183] A survey of the Byzantine sources is given by Christensen, *Kawadh*, pp. 5–19.

[184] On the basis of the fact that only wife-sharing is mentioned (or alluded to) by Byzantine sources as the background for Kavadh's deposition, Patricia Crone, "Kavad's Heresy and Mazdak's Revolt", *Iran* 29 (1991), pp. 21–42, esp. p. 42, suggests that redistribution of property was not propounded before Kavadh's deposition. The complete absence of Mazdak from these accounts leads her to the conclusion that he was involved only in a later rebellion that broke under Khusro and was quelled by him in the thirties of the 5th century (see below). For Klima (cf. n. 182 above) Mazdak's name was deliberately suppressed in Sasanian official historiography (for reasons similar to those that led, according to Thompson, Roman writers to ignore the Bagaudae; see pp. 142–143 above), to be introduced into the historiographical tradition about the Sasanians only in the Abbasid era. According to H. Gaube, "Mazdak: Historical Reality or Invention?", *Studia Iranica* 11 (1982), pp. 111–

such a major development in the Sasanian monarchy, as the fiscal and military reforms of Khusro I Anushirvan passed totally unheeded by these selfsame sources. Even for such a historian as Agathias, who did reveal some interest in the history of this monarchy, and is known to have had access to good sources of information, its internal affairs held only a very minor attraction, and what he chooses to record tends to be haphazard and unsystematic.[185]

The subject of the Mazdakite movement was popular especially with Marxist scholars in the days when the Iron-Curtain still stood firm. The tendency was to describe it as a movement of social protest of an oppressed peasantry rising up in arms against its exploiters of the upper classes.[186] Marxists and non-Marxists might disagree about the origins of the Mazdakite movement,[187] but there was little disagreement about its outcome. The old Iranian aristocracy was its main victim, and once its power was swept away, the road to a series of reforms that would have otherwise been unthinkable was opened. This is still the widely accepted view, though not all scholars who share it would go along with a suggestion made already by Nöldeke that the

122, the silence of these sources about Mazdak indicates that he was more or less invented in the reign of Khusro I as a theme of royal propaganda.

[185] This is at any rate the overall impression that emerges from the detailed commentary on the passages dealing with Sasanian history in his work by Averil Cameron, "Agathias on the Sassanians", *DOP* 23–24 (1969–70), pp. 69–183. Crone, *op.cit.*, p. 22, criticizes Gaube for failing to account for Agathias' silence about Mazdak in the framework of his hypothesis. But a similar argument can be used against her own hypothesis. How is the silence of both Procopius and Malalas about him to be explained if he was the one who started a revolt with a far reaching social program in view (about which they are equally silent) during the first decade of Khusro's reign?

[186] Thus e.g. N.V. Pigulevskaya, "K voprosu o podatnoj reforme Khosroya Anushervana", *VDI* 1937, 1, p. 143; cf. *id.*, "Les villes de l'état iranien", Paris, 1963, pp. 143–232. For the two monographs of Klima, see n. 178 above. Further references to Soviet historiography on the subject are given by Klima, *Mazdak*, pp.243–244, nn. 4–6.

[187] Christensen (cf. n. 178 above) regarded Mazdakism as a religous movement in essence, endorsing a Manichaean doctrine. F. Altheim and R. Stiehl, "Mazdak und Porphyrios", *La Nouvelle Clio* 5 (1953), pp. 356–376, rep. in *Geschichte der Hunnen*, Vol. III, 1961, pp. 61–84; cf. also *idd.*, *Ein Asiatischer Staat, Feudalismus unter den Sasaniden und ihren Nachbaren*, Wiesbaden, 1954, pp. 189–193, regard it as a Neo-Platonist doctrine. See also more recently M. Gil, "The Creed of Abu Amir", *Israel Oriental Studies* 12 (1992), pp. 23–29, and esp. *ibid.*, pp. 46–47 (Manchaeism). Schippmann, *op.cit.*, pp. 48–49, opts for reformed Zoroastrianism.

humiliation of the nobility had been the King's conscious purpose right at the beginning, when he decided to sponsor Mazdak's heresy.[188] Other scholars who emphasize the religious character of Mazdak's doctrine, and view its social aspects (redistribution of property and wife-sharing) merely as some of its practical implications, tend to regard the devastating impact of his movement upon the Sasanian nobility as a byproduct of a reform that was meant to be primarily religious.[189] An extreme reformulation of the view represented by Nöldeke has been recently propounded: Mazdak himself was only a façade or a cover-up, whereas the movement that bears his name was far from being spontaneous and disorganized. On the contrary, it was well orchestrated from above, by the king himself, in order to achieve precisely the purpose of overthrowing the nobility. The contemporary image of the Chinese "cultural revolution" is not only implied, but deliberately and explicitly evoked in order to illustrate this hypothesis.[190]

Only one discordant voice has been raised against this wide *communis opinio.* A recent study attempts to draw a distinction between two different phases of unrest under Kavadh, conflated in the later oriental sources into one continuous outburst, and described as one insurrection, initiated and led by Mazdak. One phase, of a predominantly religious nature (though it also had the social objective of enfeebling the nobility through the propagation of wife-sharing) was initiated by Kavadh himself, when he was still juvenile and inexperienced. It was terminated in his deposition and imprisonment by a coalition of nobles and mobads, and subsequently by his flight and exile. After his return to throne he reverted to Zoroastrian orthodoxy and abided by it to his last day. The second phase was of a more distinctly social character. This time not only communal access to women was advocated, but also redistribution of property. This revolt was the one started and led by Mazdak, and it was suppressed by Khusro himself in the early years of his reign. As a matter of fact, the revolt itself was not a prelude to Khusro's tax-reform, as is usually believed, but rather an outcome of the heavy burden it imposed upon the peasantry.[191]

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[188] Th. Nöldeke, *Aufsätze zur persischen Geschichte*, Leipzig, 1887, p. 109.

[189] Thus e.g. Altheim and Stiehl, *op.cit.*, p. 131. See also Schippmann, *op.cit.*, p. 42.

[190] For Gaube's hypothesis, see n. 184 above.

This is not the place for a detailed analysis of the Mazdakite movement. Suffice it to say at present that no better explanation than the Mazdakite revolt has so far been offered to Khusro's success in implementing a reform which would have provoked a fierce opposition on the part of the nobility, if it had still been as powerful as before. Moreover, any attempt to describe the reforms of Khusro as oppressive already during his own reign flies in the face of almost all the evidence we possess about it. True, this evidence is far from being first-rate, but it still concerns Khusro and his reform directly. On the other hand, the evidence about its oppressive consequences is just as late, and it concerns much later periods, and may be relevant much more to what Khusro's system was to become in future generations, than to what it had been under Khusro himself.[192]

One of the major considerations in favour of the theory that distinguishes between two totally separate phases of what is widely believed to be one Mazdakite revolt is an apparent chronological difficulty posed by the source material we possess. Kavadh's deposition in consequence of his support of Mazdak is said to have taken place ten years after his ascent to the throne—i.e. in 496; his return from exile is dated five years later, i.e. in 501 (499, if reckoned inclusively). The final blow to Mazdakism was dealt not earlier then twenty seven years after, maybe even considerably later than that. Could the Mazdakites have been on the rampage for such a long time, with the active encouragement or silent connivance of the king, who had to carry on external warfare all this while, with an alienated nobility and a furious priesthood at his back?[193]

The examples of the Agonistici and the Mazdakites may prove to be mutually illuminating. In the case of the former we may discern a pattern of a heretical movement, fuelled by the discontent of the downtrodden social classes from which its devotees were recruited, and organized by its religious leadership to strike at the nerve-centers of a provincial administration and a

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[191] Crone, *op.cit.*, esp. pp. 23; 30–34.

[192] See my paper "The Reforms of Khusro Anushirvan", forthcoming in the proceedings of the 3rd workshop on *Late Antiquity and Early Islam*, held in King's College, London, 29–31 October, 1992.

[193] Crone, *ibid.*, p. 22, following Nöldeke, *Geschichte*, p. 462, who, however, fails to draw the far reaching conclusions drawn by Crone.

social élite that seemed to support a rival church. With varying degrees of intensity its activity is recorded for almost a whole century. Effective measures to suppress it were taken only from the beginning of the second decade of the 5th century, and during the 4th century there were even times when representatives of the Roman government seemed to collude with a church which had been officially pronounced as heretical, but was very powerful in the African provinces. A similar process in the Sasanian monarchy may account for the activity of the Mazdakite movement after Kavadh's return from exile. Initially with the support of the Hephtalites who had helped him to regain his monarchy, he may have carried on his support of Mazdak and his movement, orchestrating its activity in such a manner that it vented its wrath only against those elements among the nobility who remained obstinate in their opposition to his intended reforms.[194] The Agonistici, it will be recalled, unlike other rebellious groups referred to as Circumcellions, were likewise selective in the choice of their victims: only Catholic ecclesiastics and secular Catholic landlords were affected.

If the present interpretation is correct, the Mazdakite movement is just one other example of the exploitation of economic and social oppression of an afflicted peasantry by a powerful and well organized religious sect in order to undermine an existing order. This time, however, unlike in the Roman empire, it was sponsored by the king himself, who used it to subdue a nobility and a priesthood that had so far proved too powerful and unruly for most of his predecessors.

Conclusion

The study of apparent forms of social protest in late antiquity is fraught with terminological difficulties. When such terms as *latrones*, *praedones* or λησταί are used by an author to describe those responsible for the disruption of public order he may refer to a whole range of phenomena. Only a close examination of the

[194] See N.V. Pigulevskaya, "Mazdakitskoye divženie", *Izvestiya Akademii Nauk SSSR*, seriya istorii filosfii IV (Moscow, 1944), p. 177; cf. Klima, *Mazdak*, p. 143; Yarshater, *op.cit.*, p. 1021; Schippmann, *op.cit.*, p. 51, on the support rendered to Kavadh by at least some nobles.

context can sometimes (not always) yield a more or less precise idea of his meaning. Sometimes it is perfectly plain that what he has in mind is brigandage in the simplest sense of this word. Widespread bringandage might be the consequence of social oppression, but in itself it did not amount to a conscious form of social protest.

It ought, however, to be borne in mind that these expressions might also be used as terms of abuse. As such they might be applied to those who were the objects of official hostile propaganda for various reasons. Leaders of ethnic uprisings and their followers might be characterized as *praedones*, no matter whether they were driven mainly by hostility towards the oppressive aspects of Roman provincial rule, or by aspirations to gain independence. On the other hand, a rival for supreme power in the course of a civil war or a pretender to the imperial throne might be conveniently depicted as a brigand. If no hint is forthcoming in the sources about the manner in which his own propaganda depicted his enterprise, he may well be remembered merely in terms of his representation in official propaganda.

Two terms specifically have been studied in the present paper in an attempt to unravel the essence behind them: *Bagaudae* and *Circumcelliones*. The original meaning of both appears to have been submerged quite early by their abusive connotations. This fact has turned them into just as effective weapons in the hands of official propagandists as the terms *latrones* or *praedones*. Hence the difficulty in ascertaining the true nature of the phenomenon to which they are applied in each individual case.

This is especially true in the case of the Bagaudae. They are clearly described by Aurelius Victor as *latrones*, Eumenius as *latrocinium*. Contexts in which this term occurs in 4th and 5th century sources make it quite clear that it might be applied to the forces of an imperial usurper (Amandus), gangs of peasants displaced by internal instability and barbarian invasion, organized robber bands, and separationist ethnic rebels, such as Tibatto. The trully oppressed strata of the provincial population in Gaul and in Spain do not seem to have banded up as Bagaudae out of free choice. They seem to have preferred the protection of powerful patrons to what modern scholars tend to describe as manifestations of social protest.

In the case of the Circumcellions an essentially similar situa-

tion appears to be still further obscured by the fact that the Catholic polemicists, Augustine and Optatus of Milevis, seem to have deliberately chosen a term with nearly as many abusive connotations as the term *Bagaudae*, in order to apply it exclusively to the Donatist Agonistici. Thus we get a totally distorted view of the rebellion of Axido and Fasir, who apparently had little to do with either the Donatists or the Agonistici. On the other hand the highly probable involvement of these Agonistici in the revolt of Firmus, and their easily demonstrable involvement (at the behest of Optatus of Thamudagi) in the revolt of Gildo, tend to be obscured by Augustine's tendency to chime in with imperial propaganda wherever this might serve his purpose well. From his point of view the depiction of Firmus and Gildo as public enemies, leaders of separationist movements, enjoying the treacherous support of the Donatist ecclesiastical leadership, was preferable to their accusation of instigating circumcellion unrest.

There is at any rate no unequivocal evidence for the existence of a socially conscious movement behind the phenomena to which either of these terms is applied. In contrast the very incomplete picture of the Mazdakite movement in Sasanian Persia may be adduced. From the scrappy evidence we possess about it, a movement with clearly defined objectives of social revolution, as part and parcel of a far reaching religious reform, may be outlined. Yet even this movement cannot be described as an outcome of a spontaneous revolt of the socially oppressed lower strata of Sasanian society against their oppressors. Behind the scene the active support of none other than king Kavadh I himself may be discerned, fomenting bitterness against an excessively potent nobility, and sowing temporary anarchy, in order to oust it from its positions of power.

Wolfgang Schuller

SOLDATEN UND BEFEHLSHABER IN CAESARS BELLUM CIVILE

I

In seinem Buch "Caesar in der öffentlichen Meinung" von 1979 widmet Zvi Yavetz einige Passagen (S. 163–165) dem Verhältnis Caesars zu seinen Soldaten. Dieses Thema behandele ich im folgenden teils erweiternd, teils eingrenzend. Erweiternd insofern, als ich nicht nur Caesar, sondern auch andere Befehlshaber einbeziehe, eingrenzend insofern, als ich mich nur auf die Angaben in Caesars *bellum civile* beschränke. Diese Schrift ist nämlich als zusammenhängender Text von der philologischen und historischen Forschung seltsam vernachlässigt, so daß meine Bemerkungen unfreiwillig der an sich beachtenswerten Maxime Yavetz' zuwiderlaufen müssen, moderne Fachliteratur ausgiebig zu benutzen (S. 7).[1] Was ich im folgenden sage, beruht auf der intensiven Lektüre des Textes, der unabhängig von der Frage der Glaubwürdigkeit Caesars im Faktischen (die einzige Frage, die in der Forschung ausgiebig behandelt worden ist) jedenfalls davon zeugt, was Caesar selbst zum Verhältnis Befehlshaber und Soldat unter den Bedingungen des Bürgerkrieges zu sagen hatte. Und das sollte wohl beachtenswert sein.

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[1] Die hier gemeinten Arbeiten beziehen sich entweder chronologisch nicht auf die Zeit dieses Bürgerkrieges oder sie benutzen Caesars Angaben nur als Material für übergreifende Aussagen; es sind: J. Vogt, Caesar und seine Soldaten, in: ders., Orbis, Freiburg u.a. 1960 (zuerst erschienen 1940); J. Harmand, L'armée et le soldat à Rome de 107 à 50 avant notre ère, Paris 1967; H. Botermann, Die Soldaten und die römische Politik in der Zeit von Caesars Tod bis zur Begründung des zweiten Triumvirats, München 1968; E.H. Erdmann, Die Rolle des Heeres in der Zeit von Marius bis Caesar. Militärische und politische Probleme einer Berufsarmee, Neustadt a. d. Aisch 1972; E. Gabba, Esercito e società nella tarda repubblica romana, Firenze 1973; H. Aigner, Die Soldaten als Machtfaktor in der ausgehenden römischen Republik, Innsbruck 1974.

II

Ich beginne mit dem Bewußtsein oder dem Weltbild der Soldaten und zwar nach Möglichkeit noch ohne die besondere Situation des Bürgerkrieges. Wie faßten sie ihre Tätigkeit auf? Nach was für Vorstellungen handelten sie?

Zunächst gab es einfach das, was ich einigermaßen ahistorisch soldatisches Bewußtsein nennen möchte. Das ist einmal die Wichtigkeit der *virtus* im Sinne von persönlicher Tapferkeit und der Stolz auf sie. Caesars Truppen im allgemeinen haben *virtus* in diesem Sinne (1, 45, 6; 3, 26, 1), insbesondere seine Reiterei in Spanien (1, 46, 3; 1, 59, 2), auf sie verläßt man sich (2, 30, 2; 2, 33, 1; 2, 41, 3), und daher ist ihre Abwesenheit *praeter consuetudinem* (1, 45, 1). Die gallischen Stämme, die den Massiliensern helfen, stehen Caesars Soldaten in *virtus* nicht nach (1, 57, 3; 2, 58, 2), und ebenso hatten zwei allobrogische Brüder in Caesars Heer, die dann zu Pompeius übergingen, bei Caesar und seinem Heer wegen ihrer Tapferkeit in hohem Ansehen gestanden (3, 59, 3; 3, 60, 1). Schließlich werden zwei Centurionen wegen ihrer außergewöhnlichen Tapferkeit besonders hervorgehoben, Q. Fulginius, der *propter eximiam virtutem* in der Beförderung aufgestiegen war (1, 46, 4) und Crastinus, *vir singulari virtute* (3, 91, 1). Der Stolz der Soldaten auf ihre Leistungen zeigt sich etwa darin, daß sie bei Dyrrhachium Caesar 30.000 feindliche Pfeile und den von 120 Löchern durchbohrten Schild des Centurio Scaeva vorführen (3, 53, 4). Dementsprechend berichtet Caesar auch vom Hervortreten einzelner Soldaten im Kampf: Q. Fulginius fällt in Spanien (1, 46, 4), ebenso im Heer des Curio der Centurio Fabius Paelignus bei einem Husarenstück (2, 35, 1f. 5), ein anonymer *aquilifer* rettet im Sterben den *aquila* (3, 64, 3f.), und Crastinus "meurt héroïquement à Pharsale" (3, 91; 3, 99, 2).[2]

Das Streben nach *gloria* wird eher in negativen Zusammenhängen erwähnt (so bei den allobrogischen Brüdern 3, 79, 6), so daß Curios Aufruf an seine Soldaten, *ad gloriam properate* (2, 39, 3), eher von unheimlicher Vorbedeutung gewesen sein kann. *Officium* aber, Pflicht und Pflichtgefühl, ist ein Wort, das der *virtus* gleichkommt. Im Kriegsrat der Afranius und Petreius heißt es, daß Soldaten unter Aufsicht eher *in officio contineri soleant* (1, 67,

[2] So im Register der Budé-Ausgabe.

4), nach ihrer Niederlage sagt Afranius zu Caesar, seine Soldaten hätten *satis iam fecisse officio* (1, 84, 4), was Caesar für Afranius, auf anderer Ebene, mit der Bemerkung bestreitet, *reliquos officium suum praestitisse* (1, 85, 2), Curio stellt seinen Soldaten *praemia vestri officii* in Aussicht (2, 32, 6), und bei der Flucht aus Africa kommen nur wenige Boote *ad offcium imperiumque* (2, 43, 3). Wenn es, wieder in Spanien, heißt, die Reiterei *ad cotidianum itineris officium revertitur* (1, 80, 4), dann changiert hier die Bedeutung des Wortes aber schon zum neutraleren Begriff Dienst oder Aufgabe, und so wird *officium* an anderen Stellen verwendet. *Officium* im Sienne von Pflicht könnte schließlich aber noch hinter der Bemerkung Caesars angenommen werden, wo er von seinem Heer als von einem *miserrimus* und *patientissimus* spricht (3, 96, 2), im Gegensatz zu dem des Pompeius; jedenfalls eine (auch) soldatische Tugend (1, 45, 6; 3, 15, 5; 3, 47, 5).

Eine besondere Tugend ist die Verläßlichkeit, die Anhänglichkeit an den Befehlshaber, die Treue—kurz, die *fides.* Für sie gibt es zahlreiche Beispiele—kein Wunder, denn sie gehört ja keineswegs nur zum soldatischen Bereich; ich komme darauf zurück.

Die *fides* ist gegenseitig. Die Soldaten begeben sich in die *fides* des Befehlshabers, und umgekehrt kann er sich auf sie verlassen. In der kurzen Zeit, in der die Soldaten der Gegenseite in Spanien sich mit Caesars Soldaten verbrüderten, erbaten sie Caesars *fides*, *imperatoris fidem quaerunt* (1, 74, 2), aber weil sie nicht ihrerseits treubrüchig sein wollten, bedingten sie sich aus, daß das Leben ihrer bisherigen Befehlshaber geschont werden sollte, *fidem ab imperatore de Petrei atque Afrani vita petunt* (1, 74, 3).[3] Demgemäß meinte Afranius an sich zu Recht, daß das spanische republikanische Heer gegenüber Pompeius die Verpflichtungen der *fides* habe, was man ihm daher nicht zum Vorwurf machen dürfe (1, 84, 3), wenngleich die Soldaten selber wie eben gezeigt dieser Verpflichtung gerne ledig geworden wären und sich fragten, warum sie sich eigentlich nicht gleich in die *fides* Caesars begeben hätten (1, 74, 2). Curio ging sogar so weit zu sagen, Caesar hätte sich der *fides* seiner Soldaten anvertraut—so als ob er jetzt zu ihrem Clienten geworden wäre: *vestrae fidei commisit* (2, 32, 3).

War der Soldat in der *fides* seines Befehlshabers, so identifizierte er sich mit ihm. Curio stellte sich den Soldaten gegenüber auf

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[3] Die *fides* hier ist mit Zusicherung oder Garantie wiederzugeben.

diese Stufe, verwies immer wieder auf ihren gemeinsamen Chef Caesar und nannte sich selbst in einer möglicherweise plumpen, aber doch wirksamen Weise *miles Caesaris* (2, 32, 2). Man setzt sich für die Ziele des Kommandeurs ein, *sese paratos esse imperatoris sui... iniurias defendere* (1, 7, 8), schmäht seine Gegner (1, 23, 3), will lieber Baumrinde fressen als den Feind entkommen lassen—*prius se cortice ex arboribus victuros quam Pompeium e manibus dimissuros* (3, 49, 1), bittet, die Treue und Tapferkeit auf die Probe zu stellen—*suam fidem virtutemque experiri* (2, 33, 1) und zeigt dann die Beweise vor (3, 53, 4). Schließlich stirbt man für den Befehlshaber. Crastinus fordert die Soldaten auf, für Caesars *dignitas* zu kämpfen und ruft Caesar zu, *faciam hodie, imperator, ut aut vivo mihi aut mortuo gratias agas* (3, 91, 3), und der tödlich getroffene *aquilifer* übergibt Reitern den Adler, den er über viele Jahre mit großer Umsicht verteidigt hatte, indem er sagt, *nunc moriens eadem fide Caesari restituo* (3, 64, 3).

Diese Treue wird durch den Eid auch formell verpflichtend gemacht. Bei Corfinium gingen die Truppen des L. Domitius Ahenobarbus zu Caesar über, nachdem jener das Weite gesucht hatte, und Caesar vereidigte sie auf sich, *sacramentum apud se dicere iubet* (1, 23, 5), und als diese Einheiten in Africa unter Curio gegen die Senatstruppen kämpften, wurde ihnen das von der Gegenseite zum Vorwurf gemacht (2, 28, 2), wogegen Curio nicht zu Unrecht und mit Erfolg argumentierte, Domitius habe sie zuerst im Stich gelassen und sein *imperium* niedergelegt, wodurch sie gewissermaßen frei geworden seien (2, 32, 7–9).

Die Einhaltung all dieser Werte und Verhaltensprinzipien wird—unter anderem, dazu später—durch einen weiteren Wert erreicht, nämlich durch das, was hier ganz, aber auch ganz altmodisch soldatische Ehre genannt werden soll. Es finden sich mehrere Ausdrücke dafür. Die *dignitas*, vorweg gesagt, ist nicht darunter, sie ist für die Angehörigen der Oberschichte reserviert. Noch am ehesten ist *pudor* einschlägig. Im Kriegsrat von Petreius und Afranius wird argumentiert, daß die Soldaten durch *pudor in officio contineri soleant* (1, 67, 4), und ebenso meint Curio, die Soldaten würden, wenn unzuverlässig, *pudore tenentur* (2, 31, 7). Nun werden in beiden Fällen noch andere Mittel erwähnt, auf die ich noch kommen werde, aber rein auf *pudor* bezeiht sich Curio, wenn er meint, die *pudentes* wollten, daß man ihnen vertraut (2, 31, 4), und dementsprechend konnten seine Soldaten nur

magno cum dolore infidelitatem suspicionem sustinere (2, 33, 1). Auch sonst war die Furcht groß, als Verräter dazustehen. Die Soldaten von Afranius und Petreius bedingten sich bei dem nur kurze Zeit dauernden Übergehen zu Caesar das Leben dieser Kommandeure aus, *ne suos prodidisse videantur* (2, 74, 3), und in den Geruch des *perfuga* in verächtlichem Sinn werden von Senatsseite Curios Soldaten (2, 28, 3) und Labienus von Caesar selbst (3, 17, 4) gebracht (3, 71, 4); sonst kann dieses Wort oder auch *perfugere* ganz neutral gebraucht werden.

Neben *pudor* ist *ignominia* ein Wort für die verletzte Ehre. Afranius meint bei der Kapitulation, das ganze Heer könne nicht mehr *ignominiam ferre* (1, 84, 4), Caesar bestraft nach der Niederlage von Dyrrhachium *nonnullos signiferos ignominia* (3, 74, 1), woraufhin das Heer *studium infamiae sarciendae* aufbringt (§ 2), und bei Messana ergreifen einige caesarische Veteranen gegen Cassius eine eigene Initiative, weil sie *ignominiam non tulerunt* (3, 101, 5). Der heldenhafte *aquilifer* schließlich übergibt sterbend seinen Adler den Reitern zur unversehrten Übergabe an Caesar weil es noch nie vorgekommen sei, *ut rei militaris dedecus admittatur* (3, 64, 3).

Tapferkeit, Pflicht, Dienst, Treue und Ehre ist nun eine etwas beunruhigende Ansammlung von Tugenden, und obwohl ich sie, abermals altmodischerweise, trotz schrecklichen Mißbrauchs gerade in der deutschen Geschichte dieses Jahrhunderts immer noch für Tugenden halte—Caesar jedenfalls hält sie natürlich dafür—, bekenne ich doch Erleichterung, wenn ich sie jetzt in einem nächsten Schritt kräftig relativieren kann. Gleich zu Anfang muß gesagt werden—was diejenigen schon gemerkt haben, die die Stellen nachgesehen haben—, daß der *pudor*, der Soldaten zuverlässig sein läßt, ein Phänomen ist, das eher bei Tageslicht wirkt, wenn man beobachtet werden kann—*luce* ist man *omnium oculis* ständig unter Beobachtung (1, 67, 4), und *nox* ist dem *pudor maxime adversaria* (2, 31, 7). Zu *pudor* kommt zudem noch die *praesentia tribunorum militum et centurionum* (1, 67, 4), mit der Wirkung, daß die Soldaten auch *metu tenentur* (2, 31, 7), und natürlich kommen auch die Strafen hinzu (3, 74, 1).

Es sind aber vor allem sehr materielle Dinge, die neben diesen Tugenden stehen und ihnen kräftig nachhelfen. Zunächst der normale Sold, das *stipendium*, dessen Ausbleiben die Loyalität schwer beeinträchtigt (1, 87, 3), und das als Belohnung erhöht werden kann (3, 53, 5). Eine normale Angelegenheit ist das Plündern,

also das *diripere* und das Machen von Beute, *praeda* (1, 55, 2; 2, 12, 4; 2, 25, 3; 2, 39, 5 [*spolia*]; 3, 31, 4; 3, 42, 5; 3, 82, 1; 3, 97, 1), das, wohl aus politischen Gründen, nur manchmal verhindert werden soll (1, 21, 2; 2, 13, 3f). Dazu gab es vom Feldherrn gewährte Sonderzulagen, *praemia* (1, 3, 2; 2, 32, 6. 11; 2. 39, 3; 3, 82, 1), sicher meistens in Geld (1, 39, 3f; 3, 53, 5), es konnte aber auch konkret Land versprochen werden, *agros* (1, 17, 4). Allgemein waren das die *largitiones* (1, 21, 1; 1, 39, 4; 2, 28, 3; 3, 41; auch 3, 112, 11), noch allgemeiner die *beneficia* (2, 29, 3; 2, 32, 8) oder die *officia* des Feldherrn gegenüber den Soldaten (3, 90, 1) oder seine *merita* ihnen gegenüber (2, 32, 11).

Aber die Soldaten haben noch andere Bedürfnisse und leben noch in anderen Bezugssystemen: Sie denken an zu Hause und die Heimkehr. Natürlich gibt es spezifisch soldatische Zusammengehörigkeitsempfindungen als *commilitones*, die in *contubernia* zusammenleben (2, 29, 3), aber man ersehnt doch auch das Ende des Krieges herbei, nimmt um dessentwillen Anstrengungen auf sich (1, 68, 3) und möchte entlassen werden (1, 86—freilich auf der unterlegenen Seite). Schließlich hat man, gegebenenfalls, auch Weib und Kind zu Haus, ist also *pater familiae* (2, 44, 1) und fühlt sich seinen *municipes* (1, 74, 1) sowie seinen *consanguinei* und *necessarii* verbunden (1, 74, 2).

III

Wie verhielten sich die Feldherrn diesen Soldaten gegenüber? Im rein militärischen Zusammenhang belohnen und bestrafen sie natürlich. Caesar *nonnullos signiferos ignominia notavit ac loco movit* (3, 74, 1), und auch Petreius dürfte nach dem Verbrüderungsversuch in Spanien auch unter seinen eigenen Soldaten hart durchgegriffen haben, obwohl Hinrichtungen nur gegen Soldaten Caesars verhängt wurden (1, 76); wer sich auszeichnete, wurde befördert: *ab octavis ordinibus ad primipilum se traducere pronuntiavit* (3, 53, 5). Der Befehlshaber mußte auch ein Beispiel persönlicher Tapferkeit bieten, wie Caesar selbst höchst eindrucksvoll und vergeblich bei Dyrrhachium (3, 69; erinnert an Friedrich den Großen in der Schlacht von Kunersdorf), oder auch Curio vor Utica (2, 42, 3f; obwohl dieser Bericht topische Züge trägt). Umgekehrt durfte man sich natürlich nicht heimlich davonmachen wollen, wie Caesar von Domitius Ahenobarbus berichtet (1, 19f).

Im übrigen versuchte man, die Soldaten persönlich an sich zu binden. Das konnte natürlich einmal durch die materiellen Vorteile geschehen, die man gewährte oder wenigstens versprach; hierher gehört das eben unter *beneficia* und *largitiones* Gesagte.[4] Aber nicht nur Materielles setzen die Befehleshaber ein (von Pompeius wird 3, 82, 1 allerdings nur das berichtet). Zunächst kommt die Vereidigung auf den jeweiligen Befehlshaber hinzu; besonders plastisch bei Petreius (1, 76, 2f), aber bis es dazu kommen konnte, mußte doch auf die Gemüter nicht nur durch—anscheinend von Caesar widerwillig bewundertes—entschlossenes Handeln, sondern auch durch den Appell an das Gefühl und an die *fides* Einfluß genommen werden: *flens Petreius manipulos circumit* und beschwor die Soldaten, *neu se neu Pompeium absentem imperatorem suum . . . tradant* (1, 76, 1); die Anhänglichkeit an den doch in der Tat weit entfernten Pompeius, *fidem erga imperatorem suum Cn. Pompeium* nennt für das gesamte Heer auch Afranius (1, 84, 3). Die Verletzung der *fides* tangiert die Ehre, weshalb Sex. Quintilius Varus Curios aus ehemaligen Domitianern bestehendes Heer an dieser Stelle zu packen versucht (2, 28, 2), und die Leidenschaftlichkeit von Curios Gegenrede (2, 32) zeigt, daß man sich in einem solchen Fall schon sehr ins Zeug legen mußte. Einen höchsten Grad des Vertrauensverhältnisses zwischen Feldherrn und Soldaten—des bestehenden und des zu erreichenden—stellt es schließlich dar, wenn der *imperator* zu den Soldaten ausführlich über Politik spricht (1, 7.85; 3, 90). Wichtig war natürlich, ob und wie die Soldaten auf die ihnen gehaltenen Reden reagierten. Eine wirkliche Diskussion fand natürlich weder statt noch wurde sie erwartet—schon die Idee, der heutigen Zeit entstammend, kommt einem komisch vor—, ebensowenig wie etwa in der Volksversammlung. Aber reagieren sollten die Soldaten doch. Deshalb ist es ein beunruhigendes Zeichen, wenn die Soldaten stumm waren und gewissermaßen ein *poker face* machten; so bei der eben erwähnten Rede des Quintilius Varus (*nullam in partem . . . fit significatio*, 2, 28, 4), und so bei der Ansprache von Caesars Legaten P. Vatinius an das feindliche und das eigene Heer (*silentio ab utrisque militibus auditus*, 3, 19, 3).

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[4] Besonders plastisch drückt Caesar das in 1, 39, 4 aus, wo er von jemandem sagt, *largitione militum voluntates redemit*—meint er damit sich selbst? Ich zweifle; nicht, weil er das nicht getan hätte, sondern weil er bei sich selbst vielleicht nicht so deutlich gewesen wäre. Aber zu entscheiden ist das nicht.

Sonst hören wir von Zustimmungsäußerungen, allerdings, da es darauf nicht ankam, nie wörtlich. Nach Caesars Rede vor seinem Losschlagen *conclamant... milites.. sese paratos esse* (1, 7, 8), und nach seiner Ansprache an die Soldaten des Afranius und des Petreius konnte *ex ipsa significatione* erkannt werden, daß ihnen das Gesagte *pergratum et iucundum* war (1, 86, 1), und das geschah so, daß *et voce et manibus... significare coeperunt* (§ 2). Wenn die Spannung groß war, gab es schon während der Rede Zwischenrufe, so bei Curios Rede an seine verunsicherten Ex-Domitianer: *milites crebro etiam dicentem interpellabant* (2, 33, 1).

Aber auch unabhängig von ihnen gehaltenen Reden bringen Soldaten gelegentlich ihren Willen zum Ausdruck. In Spanien *milites... centuriones tribunosque militum adire atque obsecrare, ut per eos Caesar certior fieret* (1. 64, 2), und Caesar handelt danach; in einem anderen Fall *consilium Caesaris plerisque non probabatur; milites... palam inter se loquebantur*, aber *ille in sua sententia perseverat* (1, 72, 4). Später *milites, qui ex veteribus legionibus erant... ignominiam non tulerunt, sed sua sponte naves conscenderunt...* (3, 101, 5f). Besonders auffällig ist die ausgesprochene Dominanz der Soldaten bei der Belagerung von Massilia. Von Caesars Legaten C. Trebonius ist wenig die Rede, dafür oft von Erkenntnissen, Entschlüssen und Willensäußerungen der Soldaten (2, 8, 1; 2, 12, 1; 2, 13, 3f; 2, 15). Hier scheint die Autorität des Befehlshabers gering gewesen zu sein.

IV

Das Bisherige war deskriptiv und statisch. Jetzt kommt es auf Differenzierungen und Unterscheidungen an. Von den zahlreichen Möglichkeiten—erwähnen will ich ausdrücklich nur etwaige Unterschiede zwischen Veteranen und kurzfristig Aufgebotenen—sollen hier nur die Wirkungen betrachtet werden, die der Bürgerkrieg ausgeübt hat. Im Zentrum steht dabei die sehr einfache, offensichtliche und bekannte Tatsache, daß das Verhältnis des Befehlshabers zu den Soldaten ein Clientelverhältnis war—das muß nach allem, was gesagt worden ist, nicht weiter belegt werden. Die Situtation des Bürgerkrieges—den Caesar offen als solchen benennt (2, 29, 3; 3, 1, 3 [*dissensio civilis*]; 3, 1, 4)—stellt die Soldaten vor Loyalitätsprobleme. Allerdings wird seine Ablehnung, von der gelegentlich die Rede ist, nicht damit begründet, sondern

folgt aus der Konsequenz, gegen seinesgleichen kämpfen zu müssen. Die Soldaten Scipios sagen, *contra civem et consulem arma non laturos* (3, 31, 4), und die große Verbrüderung in Spanien wurde dadurch gefördert, daß man auf der anderen Seite *notum aut municipem* (1, 74, 1) oder *necessarii* und *consanguinei* (§ 2) hatte; die Gespräche zwischen Cäsarianern und Pompejanern am Fluß Apsus (3, 19, 1) dürften ähnlich motiviert gewesen sein, weil gleich anschließend Caesars Legat P. Vatinius davon spricht, *ne cives cum civibus armis decertarent* (§ 2).

Das aber, wie gesagt, waren Empfindungen, die hinter der der Loyalität zum Befehlshaber zurückstanden. Diese Loyalität war nun aber unter den Bedingungen des Bürgerkrieges keine eindeutige Sache mehr, ja, sie war in doppelter Beziehung zweideutig. Zum einen stand sie in Konkurrenz zu eventuellen Loyalitäten einem anderen Befehlshaber gegenüber, und zum anderen in -wenn auch anders gearteter- Konkurrenz zur Loyalität zum Staat. Die Möglichkeit des Loyalitätswechsels bedeutete, daß die Heerführer die Soldaten umwerben mußten; sichtbar wird das an den Reden, die mit dieser Absicht gehalten wurden. Plastisch zeigt sich das beispielsweise daran, wie Quintilius Varus *circumire aciem Curionis atque obsecrare milites coepit* (2, 28, 2) mit der Folge des glühenden Appells Curios (2, 32), oder an der Rede des P. Vatinius (3, 19, 3), und besonders deutlich an der Forderung Caesars, mit Afranius nicht *semoto a militibus loco*, sondern *palam* zu sprechen (1, 84, 1.2), was auch geschieht.[5] Bei diesen Umwerbungen wird dann an alle die Elemente appelliert, die oben als zum Bewußtseinshaushalt der Soldaten gehörend festgestellt worden sind, vom Appell an Ehre und Treue bis zum Versprechen von Geld.

Diese Sachlage konnte nicht ohne Wirkung bleiben. Abgesehen vom teilweisen Nachlassen der Disziplin (1, 12, 2; 1, 13, 3f; 1, 15, 3; 1, 20, 1), wozu auch die Verbrüderung in Spanien gezählt werden kann, und abgesehen davon, daß es auf die *voluntas* der Soldaten mehr sonst ankam (1, 8, 1; 1, 64, 3), ist die Verläßlichkeit der Soldaten ein Problem geworden (2, 27, 2; 2, 29; 2, 31, 3–5), und möglicherweise hängen damit auch die oben genannten Anzeichen von Selbständigkeit bei den Soldaten zusammen. Es gibt sogar in fast erschreckender Weise Ansätze einer Umkehrung

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[5] Das ist die Situation des Melierdialoges, Thuk. 5, 84, 3 bis 5, 85.

der bisherigen Werte oder Verhaltensnormen. Curio sagt den Soldaten, Caesar habe ihm Sicilia und Africa *vestrae fidei commisit* (2, 32, 3), und er nennt seine Ausrufung zum *imperator* ein *beneficium* der Soldaten ihm gegenüber (§ 14). Sollte damit gesagt sein, daß jetzt die Soldaten ihrerseits in die Patronsrolle hineinwachsen? Alles in allem aber wird man doch nicht sagen können, daß die Bürgerkriegssituation auflösend gewirkt oder die Soldaten zu Lasten der Befehlshaber zu einem eigenständigen Faktor gemacht hat. Im Gegenteil ist die Stellung der Befehlshaber als Patrone—oder jetzt doch besser: des Befehlshabers als Patron—gestärkt worden.

Das zeigt sich im Großen einfach daran, daß größere Verschiebungen in der soldatischen Anhängerschaft nicht stattfinden und daß die Soldaten eben doch nicht bestimmend in das Geschehen eingreifen. Es ist aber auch im Detail sichtbar, wobei hier allerdings besonders darauf hingewiesen werden muß, daß alle Informationen von Caesar selbst stammen—freilich hat er sie auch schreiben können und sie sind mit Aussicht auf Glaubhaftigkeit gelesen worden. So lesen wir in allen Fällen, in denen vor den Soldaten die Güte der Sache dargelegt wird, für die man kämpft, kaum etwas von Politik. In seiner ersten Rede beschwört Caesar zwar noch die Rechte der Volkstribunen, die von seinen Gegnern mißachtet würden (1, 7, 2–4), aber als Ergebnis dieser Rede erklären sich die Soldaten bereit, *imperatoris sui tribunorumque plebis iniurias defendere* (§ 8), in dieser Reihenfolge. Auch Afranius hebt in seiner Verteidigungsrede nur darauf ab, daß Caesar doch Verständnis dafür haben müsse, *quod fidem erga imperatorem suum Cn. Pompeium conservare voluerint* (1, 84, 3), und kein Wort fällt von politischen Gesichtspunkten. Das muß nicht unglaubwürdig sein—nicht einmal Lukan läßt Afranius vom Senatsregiment schwärmen, sondern nur von der *causa prior* sprechen (4, 350)—, denn Afranius konnte nach dem Zweck seiner Ansprache nicht gut auf eine politische Illegitimität Caesars abheben und mußte die Argumentationsebene wählen, die allgemeinen Konsens fand, eben das Walten der *fides*.

Wie sehr zum Schluß alles auf eine Überhöhung der Person Caesars zu Lasten des Staates hinlief, wird an vier Beispielen deutlich. Curio schließt seine flammende Ansprache mit dem Ausruf, er sei nichts als ein *miles Caesaris* (2, 32, 14; Joseph Vogt hatte das besonders gut gefallen, a.a.O. S.106), und der namenlose *aquilifer* ruft aus, er habe den Adler lange Jahre hindurch verteidigt

et nunc moriens eadem fide Caesari restituo (3, 64, 3; s. Vogt, ebenda). Daß Caesars Soldaten zuerst ihn und dann erst den Volkstribunat verteidigen wollten, wurde eben schon ausgeführt, und diese Reihenfolge, in der der charismatische Feldherr vor dem Staat steht, benennt Caesar selbst in aller Offenheit, indem er einen Centurio belohnt und befördert mit der Begründung, *erat de se meritus et de re publica* (3, 53, 5).

F.W. WALBANK

POLYBIUS' PERCEPTION OF THE ONE AND THE MANY

"Leaders and masses" has been chosen as a suitable theme around which to organise a celebration of the author of *Plebs and Princeps*. Zvi Yavetz's work deals primarily with the age of Caesar and the early empire. But what happened then was largely the outcome of developments in Roman public life in the second century, during which Rome achieved predominance in the Mediterranean world. Our guide to that earlier period is Polybius' *Histories* and as my contribution to this volume I propose to examine Polybius' perception of leaders and masses, the one and the many, and the role he saw each fulfilling in the Greece where he was brought up and then in the Rome with which he became familiar as an exile and as a historian. It will, I think, emerge that he saw these two opposites as basic elements in the political process which he was concerned to analyse.

I

"The many" is a phrase which at once conjures up the notion of "democracy". But the meaning of the word "democracy", *demokratia*, in Hellenistic Greece has been the subject of controversy over the last fifty years. In an important article published in 1945,[1] J.A.O. Larsen argued that in the Hellenistic period the words "democracy" and "democratic" were used loosely as the virtual equivalent of "self-governing" and that any contrast implied in their use was not, as formerly, with "oligarchic", but rather with the idea of domination by an outside ruler. In its

[1] J.A.O. Larsen, *Class. Phil.* 40 (1945) 63–97, especially 88–9; see F.W. Walbank, *Commentary on Polybius* II (1967) 222, note on ii.38.6. Larsen refers to P. Roussel, *BCH* 56 (1922) 28 n.1; G. Daux, *Delphes au IIe et au Ier siècle depuis l'abaissement d'Etolie jusqu'à la paix romaine* (Paris, 1936) 283 n.4; A.H.M. Jones, *The Greek City from Alexander to Justinian* (Oxford, 1940) 170; F.W. Walbank, *Philip V of Macedon* (Cambridge, 1940) 225 n.2, as having contributed in various ways to the formulation of his theory.

extreme form this went too far. Larsen was careful to speak only of a "tendency", but the tenor of his argument was to disallow the older and more usual sense of the word, and his thesis has been subjected to valid criticism by D. Musti[2] and C. Nicolet.[3] As they show, several of the passages adduced in support of Larsen's view are susceptible of other explanations; and there is no lack of evidence that in political life (and not merely in discussion of constitutional matters, like that in Polybius's sixth book) the word "democratic" often still carried the full sense of a régime in which all citizens had access to the assembly and organs of government. That, for example, is true of Achaea, which, contrary to Larsen's belief, possessed a primary assembly right down to its dissolution in 146.[4] On the other hand, democratic forms did not necessarily exclude domination from without. In the treaty of *homopoliteia* between Cos and Calymna (late third century)[5] the oath taken by the people of Calymna begins: "ἐμμενῶ τᾶι καθεστηκυίαι δαμοκρατίαι" (11.14–25)—"I will be true to the established democracy"—continues later with: "ὀλιγαρχίαν δὲ οὐδὲ τύραννον οὐδὲ ἄλλο πολίτευμα ἔξω δαμοκρατίας οὐ καταστάσω" (11.21–2)—"I will not set up an oligarchy or tyrant or any other constitution other than democracy". Yet those swearing also pledged themselves to remain true to the "friendship and alliance" of Ptolemy and both states clearly fell within the Ptolemaic sphere of control sufficiently to require a mention of Ptolemy to be included in the agreement. Moreover, as Nicolet points out, there are many inscriptions in which *demokratia* appears to be used in Larsen's sense of "autonomous republic" or "free ancestral government",[6] especially from cities dominated by the Seleucids. Here again, royal domination does not exclude

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[2] D. Musti, "Polibio e la democrazia", *Annali della scuola normale superiore di Pisa* 36 (1967) 155–207.

[3] C. Nicolet, *Demokratia et aristokratia* (Paris, 1983), especially 15–35, "Polybe et la 'constitution' de Rome: aristocratie et démocratie".

[4] See my *Commentary* III (1989) 406–14 (appendix to Book xxix).

[5] *SVA* 545.

[6] Nicolet, op.cit. (n.3) 23, where he adduces inscriptions (quoted already by M. Holleaux, *Etudes d'épigraphie et d'histoire grecques* III (Paris, 1942) 153 n.1) from Smyrna, Iasus and Lampsacus. Musti, "Lo stato dei Seleucidi", *Studi classici e orientali* 15 (1966) 61–201, especially 138–45, discusses these and other inscriptions and attributes a fuller content to *demokratia*, justified, he argues, by the special circumstances of each inscription. But it is hard to resist the implication that *demokratia* is being given its weaker sense, if one takes these inscriptions together.

demokratia. It is of course undeniable that many cities with constitutions democratic in form contained timocratic elements and in practice assigned power, influence and honour to their richer citizens.

So "democracy" is a flexible concept in the Hellenistic age. What were Polybius' views about it and about the "many" on whose power it rested? Polybius grew up in Achaea, and this, as we have just seen, was a democratic federal state.[7] From his *Histories* and in particular from Book vi it is clear that he was acquainted with various theoretical works dealing with political development and different types of constitution. But his notion of "the many" is based primarily on observation and on his reactions as a member of an upper-class Achaean political family. His view of the masses can be reconstructed from scattered observations, some his own and some incorporated in speeches attributed to orators of different states and with varying political views; but the picture that emerges is consistent, something on which all are agreed. The people—*hoi polloi*, *ho ochlos* or *ho demos*—do not normally assume the initiative. They are there to be played on, easily swayed, liable to lawless passions, irrational rage and violent anger.[8] An unidentified speaker (the relevant passage is an unassigned fragment) explains that because the mob is irrational, any alliance with a democracy needs the support of considerable goodwill.[9] The masses are like the sea, whose appearance is governed entirely by the winds playing over it—a simile attributed first to Scipio Africanus[10] and then, later, to an Aetolian, Leon the son of Cichesias.[11] On the second occasion Polybius remarks, rather oddly, that the simile was "apt to the present situation", viz. Leon's defence of his fellow-countrymen for having called in Antiochus: whereas to Livy, drawing on and adapting this very passage of Polybius,[12] Leon

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[7] On the federal aspect see ii.37.7–11; see also F.W. Walbank, "Were there Greek federal states?", *Selected Papers* (Cambridge, 1985), 20–37.

[8] vi.56.11, πᾶν πλῆθός ἐστιν ἐλαφρὸν καὶ πλῆρες ἐπιθυμιῶν παρανόμων, ὀργῆς ἀλόγου, θυμοῦ βιαίου. That is why οἱ παλαιοί wisely devised stories of gods and the terrors of Hades, to keep them under control. (All subsequent references without an author's name are to Polybius.)

[9] x.25.6: the context is obscure.

[10] xi.29.9.

[11] xxi.31.9.

[12] Livy xxxviii.10.5.

was employing a common-place (*vulgata similitudine... usus*). In fact the same figure is to be found in Solon (fg. 12 Bergk), in Artabanus' speech to Xerxes in Herodotus (vii.16a) and in Demosthenes (xix.136), and later in Curtius (x.7.11). The mob is also seen as quick to jealousy[13] or to love or hate.[14] Polybius singles out the mob at Athens (a city he dislikes) as particularly prone to be whipped up by demagogues, whom it in turn encourages.[15] But, according to a Polybian passage in Livy,[16] the populace of Syracuse is no better: "ea natura multitudini est: aut servit humiliter aut superbe dominatur." There is, however, one consolation: the cosmopolitan Alexandrian mob is worse than that of any of the older Greek cities.[17]

Given these views on the masses, it may seem a little anomalous that Polybius is so enthusiastic a supporter of democracy and of the qualities which he attributes to it. Achaea, he says, is an incomparable example of a political system based on equality, freedom of speech and democracy. The combination of equality (*isegoria*) and freedom of speech (*parrhesia*) is peculiarly characteristic of democracy.[18] Thus Perseus' envoys flatter the Rhodians by referring to them as champions of equality and free speech;[19] and Polybius several times employs the phrase in reference to Achaea.[20] In one place,[21] it is true, he uses the word *isegoria* to describe the traditional freedom with which Macedonians addressed their king. But this is a specific situation, an unusual phenomenon, not normally present in a monarchy. It does not indicate equality generally, nor do we have the typical combination

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[13] xxiii.12.8; hence it was remarkable that, though he spoke out, Philopoemen avoided incurring ill-will.

[14] xxxiii.20, an unplaced fragment.

[15] vi.44; cf. Livy xxxi.44.3 (drawing on Polybius).

[16] Livy xxiv.25.8.

[17] xv.25 ff.; cf. Musti, op.cit. (n. 2) 205.

[18] ii.38.6, ἰσηγορίας καὶ παρρησίας καὶ καθόλου δημοκρατίας ἀληθινῆς σύστημα καὶ προαίρεσιν εἰλικρινεστέραν οὐκ ἂν εὕροι τις τῆς παρὰ τοῖς Ἀχαίοις ὑπαρχούσης.

[19] xxvii.4.7.

[20] In addition to ii.38.6 (above, n. 18) cf.ii.42.3, iv.31.4 (probably referring to Achaea). For Achaean democracy cf.ii.44.6, iv.1.5 (adopted immediately after the reign of Ogygus), xxii.8.6, and *Syll.* 665 1.17, δα[μ]οκρατούμενοι καὶ τὰ ποθ' αὐτοὺς ὁμονοοῦντες.

[21] v.27.6. On Macedonia *isegoria* see W.L. Adams, *Ancient Macedonia* 4 (1980) 43–52. For Nicolet's contention that *isegoria* and *parrhesia* were characteristic of other "good" constitutions see p. 211 n. 65.

of *isegoria* and *parrhesia* which is associated with the quality of life in a democracy.

In fact, there is no real contradiction between Polybius' admiration for Achaea and his contempt for the masses; for Achaea was not the kind of democracy where the *plethos* habitually had full rein. On the one occasion[22] when it uses its *parrhesia* in a manner of which he disapproves, Polybius utterly condemns the proceedings of an assembly "full of factory-workers and common men", which was so unwise as to insult Roman envoys. That meeting took place in spring 146 at Corinth, a centre of trade and manufacture and probably most of the *plethos* came from that city. Normally, as J.L. O'Neil has recently shown,[23] the real power lay elsewhere. Achaea was "a democracy, but one dominated by a rather narrow élite drawn from the well-to-do families which had provided the leadership of the original Achaian League, of Sicyon and of Megalopolis." Achaea, Polybius also points out, though a democracy, was *polueides*, multiform,[24] and much in its workings depended on the relations between the magistrates, the council and those generally attending the assembly.[25] The events at Corinth were exceptional and a symptom of the widespread disarray in Achaea at the time of the Achaean War, when, in Polybius' opinion, the wrong sort of people led the mob to take disastrous decisions.[26] In better times, before Polybius' exile, Achaean statesmen had been of a different ilk.

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Polybius's Greek experience down to 168 had also brought him into contact with "the one" and had shaped his opinions on this element in the political scene. His judgement on "the one" ap-

[22] xxxviii.12.4–5, πλῆθος ἐργαστηριακῶν καὶ βαναύσων ἀνθρώπων ὅσον οὐδέποτε.

[23] "Political élites in the Achaian and Aitolian Leagues", *Ancient Society* 15–17 (1984–1986) 33–6, especially 42; cf. xxviii.7.7.

[24] xxiii.12.8: Philopoemen was active ἐν δημοκρατικῷ καὶ πολυειδεῖ πολιτεύματι. πολυείδης has been variously interpreted: I take it to mean "composed of various elements". See my note ad loc. (*Commentary* III (1989) 242); also Musti, op. cit. (n. 3) 164.

[25] See further, J.L. O'Neil, "Who attended Achaian assemblies?", *Mus. Helv.* 37 (1980) 41–9.

[26] See especially xxxviii.15.1–18.12.

pears in two quite distinct contexts. In the first place he is impressed by what an individual who has the right qualities and applies them can achieve in the face of all kinds of difficulties. Such men usually call for admiration, but occasionally their qualities can be ruinous. Thus, commenting on Lyciscus of Stratus in Aetolia,[27] "a turbulent and noisy man", after whose death the Aetolians were able to live in peace, he remarks that "the power inherent in men's natures is so great that not only armies and cities, but also national groupings and in fact all the different peoples which compose the whole world experience sometimes the greatest misfortune and sometimes the greatest prosperity because of the good or bad character of a single man." But most of his examples are of men whose achievements merit wonder and admiration: Xanthippus, for instance, the Spartan mercenary captain[28] who destroyed the Roman army of Regulus and restored Carthaginian fortunes in the first Punic War, Archimedes,[29] whose engines and military ingenuity saved Syracuse from capture for eight months, or Hannibal himself[30]—for "of all that befell both the Romans and the Carthaginians the cause was one man and one mind—I mean Hannibal".

But Polybius was also interested in "the one" as an element dialectically engaged in various political constellations with "the many". "The one" could take various forms. In the political life of Greece he could be a general, a statesman (or demagogue, according to one's point of view), a tyrant or a king. The two latter are the most important; as we have seen, the word "democracy" *could* be used to mean simply "not subject to a king". Both kings and tyrants were well in evidence in the Hellenistic world, and sometimes the same individual could appear in both roles. The Spartan Cleomenes, for instance, began as an excellent king but became a most cruel tyrant;[31] and the same was true of Philip V of Macedonia.[32] Nabis, though a Eurypontid

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[27] xxxii.4.1–2.
[28] i.35.4–6.
[29] viii.3.3, 7.7.
[30] ix.22.1, 22.6.
[31] ix.23.3, cf. ii.47.3, iv.81.14. On Polybius' view of Cleomenes see F.W. Walbank, "The Spartan ancestral constitution in Polybius", *Ancient Society: Studies presented to Victor Ehrenberg on his 75th Birthday*, ed. E. Badian (Oxford, 1966), 303–12.
[32] iv.77.4; cf. v.11.6, vii.13.7.

and an accepted king of Sparta, is invariably referred to by Polybius as a tyrant.[33] On the other hand, Dionysius I and Agathoches began as tyrants at Syracuse and "were afterwards recognised as kings of the whole of Sicily";[34] and Hiero II, though he also seized power by force, is described as a king.[35] Obviously the distinction was to some extent fluid. A successful ruler might be whatever he chose to call himself. At the same time, Polybius seems to have been influenced by value-judgements as well as legal forms in his choice of the terms he used.

With his Peloponnesian background, Polybius had a long-standing experience of both kings and tyrants. Several cities had had tyrants imposed on them by Antigonus Gonatas, "who planted more tyrannies in Greece than any other king";[36] and Aratus, the hero of the early third century Achaean confederation, had spent many years expelling these. Polybius followed the orthodox line in loathing tyranny; in this, tradition matched his own personal experience. To a Greek, tyranny was the greatest of crimes. "Great is the honour bestowed not on him who kills a thief," says Aristotle,[37] "but on him who kills a tyrant." Polybius agrees: "the slayer of a tyrant", he remarks,[38] "everywhere meets with honour and the assignment of special seating at the theatre". This is all fairly schematic and foreseeable. But on kings Polybius' views reveal greater nuances.[39]

There was a traditional criterion which distinguished the king ruling according to law over willing subjects from the tyrant ruling as he wished over unwilling subjects. Xenophon attributes it to Socrates, but it also crops up in Plato and Aristotle and

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[33] iv.81.13, xiii.6–8, xxi.11.10. Nabis' kingship is well attested; see my *Commentary* II (1977) 420 on xiii.6–8.

[34] xv.35.3–4. In fact Dionysius never took nor was given the title of king.

[35] vii.8.2; cf. i.8.3.

[36] ii.41.10; cf. ix.29.5 (a speech by Chlaeneas the Aetolian, which however closely echoes the former passage in grouping together the garrisons imposed by Cassander and Demetrius and the tyrannies of Gonatas).

[37] *Politics* ii.7.13.1267 a 12 ff. It is a view later taken over by Cicero, *off.*iii.32; cf. *de re pub.*ii.48 (no doubt having acquired new urgency since the Ides of March 44).

[38] ii.56.15, τιμῶν καὶ προεδρίας τυγχάνει παρὰ πᾶσιν; cf. 59.6 (in reference to Aristomachus, the tyrant of Argos).

[39] Cf. K.-W. Welwei, *Könige und Königtum im Urteil des Polybios* (Diss. Köln: Herbede (Ruhr), 1963) 185: "Er hat die Herrscher nicht schematisch charakterisiert".

indeed something like it had already been adumbrated by earlier writers.[40] Polybius concurs in this definition (though, as we have just seen, his practice is less consistent). It is ultimately a moral distinction. His own formulation is one which draws on the vocabulary for the ideal king, as it is revealed in various Hellenistic sources. "It is the tyrant's role," Polybius declares,[41] "to do evil so as to make himself master of men by fear against their will, but that of a king to do good to all and so to rule and preside over a willing people, earning their love by his beneficence and humanity (διὰ τὴν εὐεργεσίαν καὶ φιλανθρωπίαν ἀγαπώμενον)". Beneficence (*euergesia*) was of course a characteristic of the good king so outstanding that "Benefactor" (*Euergetes*) was taken as a title by both Ptolemaic and Seleucid rulers, and humanity (*philanthropia*) and love (*agapesis*) figure as the supreme royal virtues in Aristeas' *Letter to Philocrates*.[42]

Welwei[43] has assembled a list of other passages in Polybius which mirror the "ideal king". A generous spirit (*megalopsychia*) is above all the kingly virtue, especially when combined with gentleness and moderation (*eugnomosune* and *metriotes*). These are qualities found in Philip II[44] and also, on one recorded occasion, in Antiochus III.[45] Hiero II showed his true character in youth by acting with gentleness and generosity (πράως καὶ μεγαλοψύχως); later he never killed, exiled or injured anyone.[46] Antigonus Doson treated the conquered Spartans with generosity and humanity;[47] and even Philip V, when in adversity, showed a generous and kingly spirit and firmness of purpose.[48] But it does not follow from this that Polybius approved of kingship as an institution.

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[40] Xen. *Mem.*iv.6.12; similar distinctions are drawn in Plato, *Polit.*291E and Aristotle, *Politics* iii.14.1285 a 24–9. As Welwei, op. cit. (n. 39) 123–4 n. 1, points out, the concept of ἑκόντων ἄρχειν as the mark of the king is in Eur.*Hel.*395 f., *Or.*1167 f., Thucyd.i.96.1, iii.72.2 and Gorgias fg.11a, 14. In Herodotus, iii.82.2 the king rules on the basis of *gnome*.

[41] v.11.6; for a short account of the idealized picture of the Hellenistic king see Walbank, *CAH* ed. 2 vii.1.81–4.

[42] Aristeas, *Letter*, 265.

[43] Op. cit. (n. 39) 123.

[44] v.12.1, μεγαλοψύχως καὶ βασιλικῶς, 10.2, εὐγνωμοσύνη καὶ μετριότης.

[45] viii.23.5, μεγαλοψύχως καὶ βασιλικῶς.

[46] i.8.4; cf. vii.8.2.

[47] ii.70.1, μεγαλοψύχως καὶ φιλανθρώπως.

[48] xvi.28.3, τὸ . . . βασιλικὸν καὶ μεγαλόψυχον καὶ τὸ τῆς προθέσεως ἐπίμονον. After Cynoscephalae he did not neglect his duty, but very properly burnt all the state papers (xviii.33.2).

Rather it was something one had to live with (or preferably without). Hellenistic kings presented a constant threat to Greek cities and the whole history of the Achaean League from its reformation in 281/280 had been bound up, often disastrously, with the struggle against Macedonia and its Antigonid rulers. Consequently, for Achaea the word democracy (*demokratia*) carried its full significance both as the antithesis of autocratic or oligarchic government and as the assertion of independence from outside domination. In one passage (xviii.41.5) Polybius appears to come close to approving kingship as an institution. We should admire Attalus's *megalopsychia* in devoting all his resources exclusively to the attainment of kingship (πρὸς βασιλείας κατάκτησιν), "than which nothing greater or more splendid can be named". But it is not kingship *per se*, but the single-minded concentration on acquiring it that arouses Polybius's admiration,[49] for he thinks this reveals a generous spirit (*megalopsychia*). In this he appears not to be conscious of the inconsistency which we might detect in admiring the disposition to acquire something while regarding with dislike and suspicion the thing acquired.

That Polybius regards kingship with suspicion is quite clear. Kings may be good or bad (mainly the latter), but the institution itself is flawed. It is the nature of kings to judge everything in terms of self-interest.[50] Moreover, when behaving rationally, kings begin by talking about freedom and calling their adherents friends and allies, but later they treat them despotically.[51] There are also two passages in which Polybius attributes similar views on monarchy to others in speeches. The Rhodians, in a speech before the Senate directed against Pergamene ambitions, allege that "every monarchy hates equality (τὸ ἴσον) and strives to increase the number of its subjects";[52] and Apollonidas of Sicyon, opposing the acceptance of a proposed gift of money from Eumenes, tells the Achaeans that the interests of kings and democracies are by nature opposed (ἐναντίαν φύσιν ἐχόντων).[53]

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[49] Polybius writes οὗ (not ἧς) μεῖζον κτλ: the antecedent is the whole action, not βασιλείας or even κατάκτησιν.

[50] ii.47.5, in relation to Aratus' approach to Antigonus Doson.

[51] xv.24.4: Philip in his pact with Antiochus III was too irrational even to conceal his true motives for the time being.

[52] xxi.22.8: summing up this speech (23.13) Polybius says that the Rhodians "seemed to all to have expressed themselves modestly and well about the situation". Evidently he concurs in their statement about monarchy.

[53] xxii.8.6; it is noteworthy that in a passage based on Polybius, Livy (xliv.24.2)

As has been pointed out, behind his general disapproval of kingship as an institution Polybius distinguished between good kings and bad. And there is one noteworthy example of a king who consistently earns his praise, namely Philip II of Macedonia. In Book viii he offers a long defence of that king against Theopompus who, despite his admission that Philip was the greatest man Europe had ever produced, and his claim that he was "richly endowed by nature with every quality that makes for virtue" employs the vilest language to abuse him and his "collaborators and friends" (many of them being the future Diadochi, who were to dispute Alexander's empire after his death).[54] Elsewhere, in several places, Polybius praises Philip II for his generosity to Athens after Chaeronea;[55] and in a speech attributed to the Acarnanian Lyciscus at a meeting at Sparta in late spring 210—it is a reply to that of the Aetolian Chlaeneas—Philip is praised as a benefactor of both Greece and Sparta. This is clearly also Polybius' own view, for his home city of Megalopolis had long-established ties with the Macedonian royal house ever since Philip gave the city territory taken from Sparta.[56] Consequently there were special political reasons why Polybius should favour Philip II. There were also quite other reasons connected with the overall structure of his *Histories*. I have discussed these elsewhere,[57] and since they are not relevant to the present subject I shall not go into them here.

3.

In 168 Polybius was in his early thirties,[58] an experienced statesman and cavalry commander and probably already the author

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makes Perseus' envoys to Antiochus IV and Eumenes put forward the same argument in order to try to win their support against Rome. But there the régime opposed to monarchy is not democracy, but a "free state": "natura inimica inter se esse liberam civitatem et regem". Was the Polybian original another example of the approximation in meaning of "democracy" and "a free state"?

[54] viii.9.1–11.2.

[55] v.10.1–5; cf. xviii.14.6–8, 14.14, for his *megalopsychia* and *philodoxia*; xxii.16.2, contrasting him with Ptolemy V.

[56] ii.48.2; the territory in question was the Sciritis, Aegytis and Belbinatis and the award is referred to in *Syll.*665 11.19–20.

[57] In "Supernatural Paraphernalia in Polybius' Histories", *Ventures into Greek History*, ed. I. Worthington (Oxford, 1994), 28–42.

[58] His date of birth is unknown, but it was probably towards the end of the third century; see my *Commentary* I (1957) 1 n. 1.

of a memoir on Philopoemen and perhaps a book on *Tactics*. As we have seen, he had clear views about the nature of the masses and those who led them, whether statesmen, tyrants or kings. And, as regards monarchy, it is likely that his family, in particular his father Lycortas and himself, (like the family of Aratus of Sicyon) had special links with the Ptolemaic royal house.[59] To that extent at least Polybius' theoretical and instinctive views about kingship will have been tempered by pragmatical considerations. In 167, however, following the Roman victory over Perseus of Macedonia at Pydna, Polybius was shipped off to Rome as part of a general *épuration* of the Achaean League. How on his arrival in Italy he was able to exploit the friendship of Scipio Aemilianus to be allowed to remain in Rome and how he there conceived the idea of his *Histories* and set about writing them is a story, often told, which need not be repeated here. The point I would emphasize is that as a critical viewer of the Roman scene and the author of a history which was to deal with the rise of Rome to world power, Polybius now needed to set his ideas about the one and the many in a new, Roman context.

The *Histories* themselves provide the evidence for how he did this. They also show that he was now consciously attempting to relate his ideas about the distribution of power within a state to his new purpose—the explanation of why Rome came to be mistress of the inhabited world, the *oecumene*. That is why the formulation of his views about "the one" and "the many" during his active years in Achaea is reflected in odd remarks throughout his work, whereas his views about those elements at Rome are mainly concentrated in one place, Book vi. This book contains, among other things, an analysis of the Roman constitution in which the two contrasted concepts (and the fleshing out of these in the realities of Roman public life) play an essential part.

As the background to this discussion Polybius describes an elaborate model of political development, the so-called *anacyclosis*, involving a kind of circular succession of constitutions, by way of primitive monarchy, kingship, tyranny, aristocracy, oligarchy, democracy, mob rule (ochlocracy) and so back to monarchy,

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[59] Cf. xxii.3.5, xxiv.6.3–7, xxx.23.3–5. I have discussed this question in the paper mentioned above (n. 57), pp. 37–8.

where the process began.[60] A brief survey of this sequence will show that the relationship between "the one" and "the many" is basic to it at almost every stage. At the outset we are presented with a primitive horde, the survivors of some natural cataclysm, who come together for mutual protection, herded like animals and led by the strongest individual among them—as is the case, Polybius adds, with bulls, boars, cocks and the like. This strong man is the monarch (*monarchos*), and his strength is the measure of his rule.[61] The role of "the many" at this stage is passive: they are like a herd of animals except in one respect—their possession of reason (νοῦς καὶ λόγισμος). In time and thanks to this quality of reason, the primitive group becomes infused with moral ideas. Polybius is at pains to show that that occurs as part of a "natural" process. Natural instincts lead to sexual intercourse and the birth of children; the behaviour of children towards their parents is observed by others and if they show ingratitude this is remarked on with indignation. Likewise ingratitude in someone who has been helped in time of danger is ill regarded, whereas acts of bravery are noted and honoured. There thus grows up a notion of duty (*to kathekon*). When the monarch identifies himself with this new moral code, he becomes a king (*basileus*), whose rule is based on reason (*logismos*) and is willingly accepted by "the many".[62] Basic to this stage of the cycle is the existence of reason in "the many" and "the one"; but whereas the growth of moral ideas in "the many" is seen as a "natural" development, the ruler's identification with this moral order depends on a conscious choice on his part. Thus it is with him that the initiative lies, and through him that monarchy advances to become kingship.

The next stage arises when the king's offspring, who inherit the throne, are corrupted by their privileged position and resort to outrageous behaviour, which precipitates conspiracies led by the best people, i.e. the noblest, the most generous and the most courageous. The kingship has now become a tyranny and this is overthrown and replaced by an aristocracy in a process in which the people (*plēthos*) combines with the noble element to

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[60] vi.4.6–10 (outline); 5.4–9.9 (full exposition).
[61] vi.5.4–9.
[62] vi.5.10–7.5.

oust the tyrant. Once again "the many" fail to take the initiative but merely follow the lead given them by the nobles; and after the victory they entrust these with power, believing them to merit that trust.[63] But the process of deterioration is about to be repeated, with the sons of the aristocrats emulating the sons of the king in their behaviour; and that for two reasons. First, they have had no experience of "evils" (i.e. tyranny) as had their fathers; and secondly "they have had no experience whatsoever of political equality and freedom of speech".[64] This second reason creates a problem of interpretation. It is Nicolet's contention[65] that "political equality and freedom of speech" are to be found in all "good" constitutions, i.e. in kingship, aristocracy and democracy, but are absent from their corrupt forms. It is because aristocracy has been perverted into oligarchy in the second generation that the new rulers have had no experience of equality and free speech. This can hardly be right. If equality and free speech existed under the *first* generation, Polybius could not reasonably say that the second generation had had no experience of them whatsoever, since they had been brought up by their fathers, under whom *ex hypothesi* these values existed. It seems far more likely that the reason the oligarchs had had no experience of equality and free speech is that these were a characteristic of "good" democracy and so had not yet put in an appearance.[66] We have already seen that the combination of these two institutions was peculiarly democratic. Polybius never speaks of them in reference to aristocracy nor indeed monarchy (for, as we noted, Macedonian *isegoria* is something different).[67]

The oligarchs soon go the way of the tyrants. And here again the initiative comes, not from "the many", but from one individual who speaks out against the rulers and is supported by the people. But this time the people do not hand over control to their leader, having learnt from experience of the dangers inherent in that course. Instead they set up a democracy.[68] This collapses when the grandchildren of the first generation begin to

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[63] vi.7.6–8.1.
[64] vi.8.2–4, ἄπειροι . . . καθόλου πολιτικῆς ἰσότητος καὶ παρρησίας.
[65] Op. cit. (n. 3) 27.
[66] Cf. Musti, op. cit. (n. 2) 193.
[67] See above p. 3 n.21.
[68] vi.8.4–9.3.

aim at getting more than "the many" and reject equality and free speech. These men are described as rich (for *isegoria* is of course political, not economic equality)[69] and it is through them that the state begins to lapse into mob-rule. How that process works out in relation to "the one" and "the many" I shall consider shortly. But at this point it would be as well to ask how this schematic evolution of constitutions applied to Rome. For Polybius, after completing his account of the *anacyclosis*, asserts that "especially in the case of the Roman state this method of examination will give us the clearest insight into the process whereby it was formed, grew and reached the zenith of its achievement as well as the changes for the worse which will follow these".[70]

Polybius will have shown how the *anacyclosis* applies to Rome in the lost section of Book vi, of which only the fragments assembled as vi.11a a survive. The likelihood is that monarchy, kingship and tyranny were illustrated by the reigns from Romulus to the younger Tarquin, aristocracy by the early republic and oligarchy by the decemvirate.[71] But from that point[72] Rome succeeded in applying a brake to the cycle by acquiring a balanced or mixed constitution (Polybius never actually calls it a "mixed constitution" though that is what it is) and this constitution avoided the corruption to which all the simple forms were liable. Polybius analyses the powers exercised by the monarchic (i.e. the consular), the aristocratic (i.e. the senatorial) and the democratic elements in the state and the checks each applied to the other two,[73] and in due course sets up a comparison between Rome's "mixed" constitution and the constitutions of a select number of other states. Of these, it appears, both Carthage and Sparta were also exceptional in having or having had mixed constitutions.[74] One cannot help wondering, therefore, how far the *anacyclosis*,

[69] Cf. vi.8.4.

[70] vi.9.12–14.

[71] See my *Commentary* I, 663–4, note on vi.11a; the general line of Polybius' argument can be cautiously recovered from Cicero's *De re publica*, which drew in part on Polybius.

[72] vi.11.1: for the reading see R. Weil in the Budé edition, *Polybe VI* (Paris, 1977) 85 and 146. Weil has shown that there is no lacuna and the date for the beginning of the onset of the perfected Roman constitution is therefore firmly established as 450 (i.e. the decemvirate).

[73] vi.11.11–18.8.

[74] Cf. vi.10.1–14, 48.1–50.6 (Lycurgan Sparta); vi.51.1–8 (Carthage).

the "course appointed by nature for constitutional change",[75] could really be thought of as being of universal application and how far it could provide the sure guide to future constitutional developments that Polybius claims for it.

In the mixed constitution "the one" and "the many" no longer play the dynamic and diachronic role that they play in the *anacyclosis*. Here Polybius' analysis is schematic, since he is describing a constitution with the brakes on. He is concerned with elements (*mere*) in the state and the monarchic or kingly element is represented by the consuls.[76] In this Polybius followed a Roman tradition stressing the continuity of the consulate with the royal power which preceded it.[77] A good example of the strength of that tradition is to be found in a passage of Livy, based on an annalistic source, which describes an attempt by M. Aburius in 187 to intercede against the proposal that a triumph be awarded to M. Fulvius. When Aburius suggested postponing a decision until the return of the consul M. Aemilius to Rome, Ti. Gracchus interjected that the tribunate was intended, not *pro consulari regno*, but *pro auxilio ac libertate privatorum*.[78] As regards the "democratic element" it has long been noted as an oddity that the restraint exercised on this by the "aristocratic element" is illustrated by the extent to which the *publicani* find it necessary to rely on the Senate to secure their contracts.[79] Here "the many" is being interpreted in a very restricted sense. But Polybius speaks of the people in a broader context when he underlines its power to confer honours (at elections) and inflict punishments (through the courts), especially on capital charges. The people also legislates and decides on war and peace (after deliberation) and ratifies alliances, terms of peace and treaties.[80] Its powers are thus substantial.

But what of the aristocratic element, which appears to fall outside the categories of "the one" and "the many"? At Rome

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[75] vi.9.10, αὕτη φύσεως οἰκονομία, καθ' ἣν μεταβάλλει καὶ μεθίσταται καὶ πάλιν εἰς αὑτὰ καταντᾷ τὰ κατὰ τὰς πολιτείας.

[76] Cf. vi.11.12, ὅτε μὲν γὰρ εἰς τὴν τῶν ὑπάτων ἀτενίσαιμεν ἐξουσίαν τελείως μοναρχικὸν ἐφαίνετ' εἶναι καὶ βασιλικόν.

[77] Cf. Dion. Hal. vi.63; Cicero, *de re publica* ii.56, "potestatem . . . genere ipso ac iure regiam".

[78] Livy xxxix.4.1–5.

[79] vi.17.

[80] vi.14.

this is represented by the Senate and Nicolet has argued[81] that Polybius really saw Rome as an aristocracy. This would seem to distort Polybius' perception of the Roman state. In one place,[82] it is true, he speaks of P. Scipio "pursuing fame in an aristocratic state". But this passage occurs in the course of a comparison with Philopoemen who, on Polybius' reckoning, had died the same year and had "pursued fame in a democratic state".[83] In this rhetorical *syncrisis* Polybius seems to be far away from the ideas of the *anacyclosis* and the mixed constitution. The remark about Scipio is certainly inconsistent with the detailed analysis and conclusions of Book vi and raises the question which of the two is more likely to represent Polybius' considered view of the Roman constitution. It seems to me that the very detailed and carefully argued account in Book vi must take precedence over an isolated comment apparently inserted in order to create a rhetorical antithesis. And if, as is not impossible, the third figure in the *syncrisis*, Hannibal,[84] was represented as exemplifying a love of glory (*philodoxia*) of a monarchic type, that would reinforce the view that this passage completely ignores the constitutional discussion of Book vi. That Hannibal was so represented is of course hypothetical. But of the part of the discussion relating to him only one fragment has survived; and some comment about the type of state he operated in seems to be required, to match the comments on Scipio and Philopoemen.

Against the assumption that Polybius regarded the Roman constitution as an aristocracy is the whole tenor of the argument in Book vi, which represents Rome as having a balanced constitution of the Lycurgan type;[85] and though, as Nicolet points out,[86] the Senate, identified as οἱ ἄριστοι, is in charge of deliberation at Rome, that is not an argument for identifying the Roman government at that time as an aristocracy. On the contrary, the retention of the right to deliberate by the Senate was

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81 Op. cit. (n. 3) 21–2, 31.

82 xxiii.14.1, φιλοδοξήσας ἐν ἀριστοκρατικῷ πολιτεύματι.

83 xxiii.12.8, φιλοδοξήσας ἐν δημοκρατικῷ καὶ πολυειδεῖ πολιτεύματι (on πολυειδεῖ see above, n. 24).

84 xxiii.13. Hannibal's command in Italy, often represented as independent of effective Carthaginian control (though wrongly), may well have seemed to possess some monarchic features (cf. n. 30).

85 vi.10.14, ἦλθον ἐπὶ ταὐτὸ μὲν Λυκούργῳ τέλος.

86 Op. cit. (n. 3) 21–1, 31.

an indication that Rome had not yet begun to abandon its *mikte* as Carthage had done; for there deliberation was already in the hands of *hoi polloi*.[87] Indeed, if the Roman constitution is to be characterized as "aristocratic" ("même si elle est composite"), it is hard to see why Polybius should have gone to such pains to elaborate the theory of the mixed constitution and the way in which it avoided the "congenital vice", the *sumphuton kakon*, inherent in each simple constitutional form.

4.

For states which remained within the circle of the *anacyclosis* the stage following democracy was mob-rule; and Polybius has a succinct account of how that came about.[88] But Rome too, although thanks to the mixed constitution she had been able to put a brake on the wheel, could not evade the onset of change for ever; for "all existing things are subject to decay, a proposition which scarcely requires proof, since the inexorable course of nature is sufficient to impose it on us."[89] In one of the last chapters of Book vi Polybius therefore outlines the process of decline as he saw it coming at Rome.[90] The book thus contains two accounts of ultimate constitutional decay, one within the *anacyclosis* of democracy into mob-rule and final monarchy, the other specifically of the Roman mixed constitution, as it dissolves and sets Rome back on the wheel of change. As one might expect, the two contain some similar features; but they are not identical, and for a proper understanding of what Polybius was saying, it seems desirable to distinguish between them.[91]

In the first passage (vi.9.6–9), dealing with the end of the *anacyclosis*, the rich leaders, grandsons of the founding fathers of

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[87] For this point see V. Pöschl, *Römischer Staat und griechisches Staatsdenken bei Cicero* (Berlin, 1936), 61.

[88] vi.9.6–9.

[89] vi.57.1.

[90] vi.57.1–9.

[91] The distinction is not made in two important recent discussions of this matter. Claude Nicolet (op. cit. (*n.* 3) 33) takes both passages to be describing "la détérioration éventuelle d'un équilibre 'aristocratique': par deux fois au livre *vi* il précise sa pensée"; and Fergus Millar (*JRS* 76 (1986) 5 n. 12) quotes with approval a suggestion of John North that vi.9.6–9 "can be read as an implicit prediction of the course of events in the last century of the Republic".

the democracy, become contemptuous of equality and free speech (*isegoria* and *eleutheria*) and bankrupt themselves by bribing the people (*ta plethe*) to give them the power they cannot secure on their merits. This creates among the people an appetite for such hand-outs; and since their original corruptors no longer have the wealth necessary to continue these, the people fall for the blandishments of a leader (*prostates*) who is bold and ambitious, but poor. They therefore take to violence, and institute massacres, exiling, plunder and the division of land (*ges anadasmos*) and so, having resorted to complete savagery, end up with a master and monarch (*despoten kai monarchon*). Polybius does not say, though he perhaps implies, that this monarch, who in order to close the cycle has to correspond to the original leader of the primitive horde, is the bold and ambitious poor man who has initiated the reign of violence. This picture contains elements familiar from earlier Greek writers. "Is it not always particularly characteristic of the people," asks Plato,[92] "to set some individual over themselves and to nourish him and raise him up to greatness?" Such a man is of course a tyrant and, as Nicolet correctly points out, the whole setting of this passage in Polybius is Greek. The leader excluded from public honours through poverty would be an absurdity in a Roman context, and in this part of the *anacyclosis* Polybius is simply drawing on his experience of Greek political life in the third and second centuries.[93]

In fact Polybius does not claim this passage as a forecast of future developments at Rome. That is reserved for the later chapter (vi.57.5–9) with which he rounds off his description of the Roman state, a striking passage, which inspired Schweighaeuser to an uncharacteristic digression on the state of affairs in his contemporary France.[94] At the very outset, however, this chapter

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[92] Plato, *Rep*.viii.565c οὐκοῦν ἕνα τινὰ ἀεὶ δῆμος εἴωθεν διαφερόντως προΐστασθαι ἑαυτοῦ, καὶ τούτον τρέφειν τε καὶ αὔξειν μέγαν;

[93] Op. cit. (n. 3) 33; cf also K. von Fritz, *The theory of the Mixed Constitution in Antiquity: a Critical Analysis of Polybius' Ideas* (New York, 1954), 309.

[94] When in the preface to Vol. I of my *Commentary on Polybius*, vii, I wrote that Schweighaeuser's work was "virtually untouched by the stirring events going on at the time", I did him an injustice; for I had overlooked the remarkable note on vi.57.7, which deserves to be transcribed: "Eum dicit statum (sc. Polybius), qualem nostris his diebus esse novam Franciae constitutionem calumniose clamant hi, qui, fractas suas immodicas opes et repressam insolentiam dolentes, ignoscere philosophiae non possunt, quod adflictum miserata statum quo nimis diu populus Francorum depressus iacuerat, descendere tandem de

presents a problem. States can decay, says Polybius,[95] as a result either of external or internal causes; and the latter operate in a regular process. That process is, of course, the *anacyclosis*, and those who have followed his exposition of it from beginning to end will be able to foretell the future unaided (προειπεῖν ὑπὲρ τοῦ μέλλοντος); and what that will be, he adds, is clear. But logically the *anacyclosis* should only enable one to foretell the future for a state developing inside it. Thanks to her having acquired a mixed constitution, Rome's decline is bound to diverge in some degree at least from that of a state whose progress has followed the "normal" path. Polybius, perhaps from a certain sense of embarrassment, does not specifically say that the development in chapter 57 is that of Rome. He speaks only of "a state" (*politeia*), unnamed;[96] but at the end of the chapter he claims to have described its origin and growth, its prime and present condition and the differences for better or worse between it and others, so that there is no doubt that Rome is the state in question.

Decline begins at Rome when after many perils she achieves supremacy and uncontested sovereignty (ὑπεροχὴν καὶ δυναστείαν ἀδήριτον). This reference to Roman imperial domination is a new feature, not found in the account of the *anacyclosis* and not applicable to any of the other states enjoying a mixed constitution either; its realization is the central theme of the *Histories*.[97] What that supremacy implies in practice, as Peter Derow has explained, is that everyone is now subject to Rome and, in Polybius' own words, that "henceforth all must submit to the Romans and obey their orders".[98] The result of this supremacy is a high degree of prosperity, which leads to an extravagant life-style and greater fierceness in rivalry for office and the like and this will be the beginning of the decline.[99]

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coelo, sedemque inter nos figere, et ordinare moderarique res nostras dignata est" (Tomus VI (Lipsiae, 1792) 399). The reference to the new French constitution is probably to that adopted by the Constituent Assembly in 1791. The early years of the revolution were of course rich in symbolism, theatrical personification and pageantry. Even so, it was an imaginative gesture to picture the revolution in the guise of the goddess Philosophia, making her epiphany to live in France and there regulate and control men's lives.

[95] vi.57.2.

[96] vi.57.5.

[97] Cf. i.1.5–6; see my *Commentary* I (1957) 40 for a note on this passage and other references to this theme throughout the *Histories*.

[98] *JRS* 69 (1979) 4; cf. iii.4.3.

[99] vi.57.5–6.

The situation described in this passage coincides in detail with that which Polybius later claims to have existed after 168. In Book xxxi, in a character-sketch of Scipio Aemilianus, he asserts that it was precisely from that date that vicious and extravagant behaviour became widespread because "since the fall of the Macedonian kingdom it appeared that Rome enjoyed undisputed universal dominion, and because after the riches of Macedonia had been brought to Rome there was a great display of wealth, both public and private".[100] Moreover, Scipio was exceptional in spending his time hunting when the other young men were busy in the forum occupied with legal cases and levees (*chairetismous*, Latin *salutationes*) in the attempt to court the favour of the people.[101] Clearly the prognostication in vi.57 is developed from the situation at Rome, as it appeared to Polybius after 168, and not on Greek parallels like vi.9.6–9.

There are other ways in which this chapter differs from the earlier passage. In the first place those responsible are not the grandsons of the democratic founding fathers, for the simple reason that the state in decline here is not a democracy, but a mixed constitution. Furthermore, it is not contempt for equality and freedom in a spoilt generation, but an extravagant life-style due to exploiting the fruits of supremacy abroad that has led to excessive political ambition. Obviously the two passages are not to be read as two versions of the same analysis.

Polybius now proceeds to assess responsibility in a manner absent from his account of the *anacyclosis*. The "credit for the change", he says, will go to the people (*ho demos*), who will clearly have a grievance (ἀδικεῖσθαι δόξῃ)[102] against greedy politicians and will become conceited at the hands of those flattering them "in the hope of office". It is the tone of this passage which deserves to be noted. The phrase "λήψεται τὴν ἐπιγραφὴν τῆς μεταβολῆς", the people "will get the credit for the change", has an ironical ring which creates quite a different impression from the more dispassionate account of the decline in the *anacyclosis* (9.8–9), though the context is not dissimilar. For the populace, swayed by passion and anger, is no longer willing to obey or

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[100] xxxi.25.6–7.

[101] xxxi.29.8–9, διὰ τούτων συνιστάνειν ἑαυτοὺς ἐπειρῶντο τοῖς πολλοῖς; cf. A. Astin, *Scipio Aemilianus* (Oxford, 1967) 30–31.

[102] This is probably the meaning rather than "the people think they have a grievance"; see Mauersberger, *Polybios-Lexikon* s.v. δοκέω II (a) (β).

even be the equals of those in control (τοῖς προεστῶσιν) but demands the largest share, indeed the whole. In short, they upset the balance on which the mixed constitution depends: the result is democracy only in name, mob-rule in reality. Two further points distinguish this account from the earlier one. First, it does not incorporate the *communis locus* of *largitiones* leading to tyranny, which is to be found in vi,9.8, συνειθισμένον γὰρ τὸ πλῆθος ἐσθίειν τὰ ἀλλότρια καὶ τὰς ἐλπίδας ἔχειν τοῦ ζῆν ἐπὶ τοῖς τῶν πέλας ("the people have become accustomed to feed at the expense of others and their prospect of winning a livelihood depends upon the property of their neighbours"). Here, on the contrary, the excesses of the people take a political form. They seek the lion's share in government, not material advantage. Secondly, the account in chapter 57 does not include the two stages of democracy and mob-rule. Instead, these are two names for the same kind of state, the second indicating the reality (perhaps another example of Polybius' irony and an indication of an emotional involvement not present in the account of decay in the *anacyclosis*).

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It is clear, then, that Polybius presents only chapter 57 as a prognostication of the further development of Rome. What still requires explanation, however, is the dislike of the populace evinced in his account of the approaching decline. That explanation is, I believe, to be found in the similarity, to which I have already alluded, between the conditions outlined in chapter 57 and those amidst which the youthful Scipio, encouraged by Polybius, set out to establish his moral superiority over his peers. The object of the canvassing, on which the latter spent their efforts and to which Scipio took such objection, was to secure the favour of the masses. Scipio's reluctance to take part in this canvassing is an indication of his contempt for the people and their role in Roman political life. The importance of the popular or "democratic" element at Rome at this time has recently been underlined by Fergus Millar in two articles,[103] in which he successfully defends Polybius against the charge of seeing popular power

[103] *JRS* 74 (1984) 1–19; 76 (1986) 1–11.

where there was none. As Scipio's friend and mentor, Polybius understood the importance of self-presentation in the Roman political scene. The chapters in Book xxxi dealing with Scipio's early life[104] read like the successful completion of a well-designed programme to draw Scipio's abstemiousness, his generosity and his courage to the attention of the Roman populace and so to provide a valid substitute for the usual canvassing. In all this, Polybius implies, Scipio was a contrast to the majority of his contemporaries. It is in this context, I would suggest, that we should interpret Polybius' expressed dislike of the populace. The part assigned to the people in Polybius' prognostication of Roman decline, in fact, reflects the milieu in which as a friend of Aemilianus he now lived.

Developing his thesis that Polybius was wiser than many of his critics in assigning so important a role to the people, the "democratic element", in second- (and by implication in first-) century Rome, Fergus Millar has drawn attention to the vital relationship between "the one" and "the many' which that role implied. If the people possessed real power, they were also, as Polybius repeatedly insists, like the sea when strong winds blow over it. In fact, the Roman system with its law courts and popular assemblies preceded by *contiones*, gave great scope for the demagogue. Criticizing the traditional view of senatorial supremacy—of which Nicolet's theory of a mixed constitution which is really an aristocracy is a newer version—Millar observes[105] that "the unconscious fiction of the collective parliamentary rule of the Senate has obscured the centrality of this much more important relationship, that is, of the one to the many, of the individual orator and/or office-holder and the crowd:" and he adds, pertinently, a reference to "the analyses of the relation of the individual and the people in Z. Yavetz, *Plebs and Princeps*".

In this paper, which will, I hope, commend itself to Zvi Yavetz, I have tried to show that Polybius was well aware of this dynamic relationship in its various forms and that it forms a central feature of his account of political development in general and of the Roman constitution in particular.

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[104] xxxi.23.1–30.4.
[105] *JRS* 76 (1986) 4.

P. VIDAL-NAQUET

ENLIGHTENMENT ON THE GREEK CITY-STATE

Historians of past worlds face an insoluble dilemma. Their most basic duty is to show us how such worlds differed from ours, reminding us that even when our words are derived from theirs they do not have the same meanings. The republic is not the *respublica*, even though, in fact, without the *respublica* there would never have been a republic in Venice, Geneva, or Paris. As for *politéia*, which we translate as "republic" when it figures in Plato or Aristotle and which Rousseau uses, in the form *politie*,[1] in the "*Social Contract*," it has some surprising descendants in French, at first still with the sense of a political regime (for example, in Montaigne's evocation of the "police that [Plato] invents at his discretion") but later with other meanings that distance it from the notion of a republic. Historians must avoid mapping onto today's gigantic states the modest realities of the ancient city-state, bearing in mind that Attica, the city-state of Athens, town and countryside, *astu* and *chora*, covered the area of the grand duchy of Luxembourg. At the same time, their views of the past are the views of our own times. Certainly they are (or at least should be) more conscious than the rest of us of these differences, for, as Paul Veyne has said, it is their profession to make inventory of them,[2] but no rejection of anachronism can transform a late-twentieth-century scholar into a contemporary of Pericles. If it is necessary to destroy the illusion that Pericles thought like us, it is equally so to destroy the illusion that we can think like Pericles.

"Desperately foreign" is the term used by Moses Finley[3] to describe Greek tragedy, the aspect that most readily gives us the impression of communication with the classical Greek world, be it simply because the tragedies of Aeschylus, Sophocles, and Euripides are continually performed. Yet the same Finley is the

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[1] J.-J. Rousseau, *Oeuvres complètes* (Pleiade), III, p. 410.

[2] Paul Veyne, *L'Inventaire des différences*, Seuil, Paris, 1976.

[3] M.I. Finley, "Desperately foreign", *Aspects of Antiquity*, Chatto and Windus, London, 1968, Introduction.

author of *Democracy Ancient and Modern*,[4] a book that one might be tempted to call *soixante-huitard*, in which he argues the values of ancient democracy against the modern theorists of passivity and apathy—a Seymour Martin Lipset in America or a Julien Freund in France—who consider that democracy can function only because citizens have lost interest in politics, to the point that they do not even bother to vote. Finley contrasts this passive democracy with the activist democracy that condemned Socrates (who had more or less asked for it) but also took decisions comparable in weight to that of sending a man to the moon or building the atomic bomb—decisions that in the contemporary world take place in the secrecy of cabinets rather than in broad daylight in popular assemblies.

Although it is true that we can be historians of the past only to the extent to which we are present in this world, we must acknowledge that a rapport with antiquity is part of our world. This rapport is certainly less intense today than it was when the young Péguy triumphed over his mother in what he called the battle of Orange—in other words, obtained from her the necessary funds to attend the performances of *Antigone* and *Oedipus Rex* at the festival of Orange.[5] Nowadays, models other than those of antiquity—ethnographic or ethnological ones—have inserted themselves into our culture. Some twenty years ago, an election was held at the *École des Hautes Études* to choose a successor to Fernand Braudel. Jacques le Goff was the only candidate, and to please us he said, "I seem to be before an assembly of kings." This was an allusion to Cineas' account to Pyrrhus of his reception by the Senate.[6] But after the election Serge Moscovci said to me, "What has just happened is exactly like what happens among baboons when the old baboon is replaced by a younger one." This image is undeniably more accessible than that of Pyrrhus and Cineas. Yet a rapport with antiquity persists. Recently the Louvre has exhibited the work of Euphronios, a painter and potter of the end of the sixth century of whom we have no

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[4] M.I.Finley, *Democracy Ancient and Modern*, Rutgers U.P., New Brunswick, N.J., 1973. Cf. the preface, in the French edition *Tradition de la démocratie grecque* (Payot 1990) by P. Vidal-Naquet.

[5] See Simone Fraisse, *Péguy et le monde antique*, Armand Colin, Paris, 1973, pp. 64–6 et 195.

[6] Plutarch *Phyrrhus*, 6.

written record. Plato and his contemporaries would certainly never have heard of him, and Isocrates who expressed indignation at the mere thought of Phidias' being compared to a painter the likes of Euphronios, would certainly have been surprised. An exhibition on antiquity mounted in the Paris metro was entitled "The City of Images",[7] an expression that neither Euphronios nor Aeschylus nor Pericles would have understood (and by this no criticism is intended). The *Oresteia* and *Iphigenia in Aulis* are being produced at the *Cartoucherie* and even aired on late-night television. Solzhenitsyn commends the lessons of the Greek city-state[8] to sick Russia, and Castoriadis refers to the Greek city-state in "On the Content of Socialism"[9] and not simply because he is Greek. In an attempt to shed light on this rapport, I will examine how several terms rooted in antiquity have been taken hold of in modern Europe.

The concept of democratic transparency encompasses both the notion of an "identification of the rational and the political"[10] and the idea that a democratic society once functioned in terms of transparency between the governors and the governed, without any barrier between the farmer who sat on the steps of the Pnyx and the *strategos* who carried out the will of the popular assembly. This image of Athenian democracy is without doubt a Greek one. It is the image Aeschylus gives of the democratic vote in the *Suppliants* (ca. 464 B.C.), where for the first time the word *demos* is juxtaposed with the word *kratein*, "to rule". The right of residency was granted to the Danaides trying to avoid marriage with their first cousins by a unanimous vote of the people after the intervention of Persuasion and ratification by Zeus. This is the very model of transparency: from Zeus to the king and to the last citizen, a single decision was made and a single vote cast. Nicole Loraux[11] points out that this unanimity

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[7] See Jean-Pierre Vernant *et alii. La cité des images, Religion et société en Grèce antique*, Nathan et L.E.P., Paris, Lausanne, 1984.

[8] A. Solzhenitsyn, *Comment réaménager notre Russie*, trad. G. et J. Johannet, Fayard, Paris, 1990, p. 90.

[9] See also *Sur le contenu du socialisme*, collection 10–18, Paris, 1979, "La *polis* grecque et la création de la démocratie", in *Domaines de l'homme, Les carrefours du labyrinthe*, II, Seuil, Paris, 1986, pp. 261–306.

[10] Cf. N. Loraux, "Aux origines de la démocratie. Sur la *transparence* démocratique", *Raison présente* 49 (1979), pp. 3–13.

[11] N. Loraux, *The Invention of Athens. The Funeral Oration in the Classical City*, Harvard U.P., Cambridge, Mass., 1986.

reappears in the funeral oration that Thucydides attributes to Pericles, which exemplifies the city's ideal discourse on itself. The elements that contribute to the democratic originality of the city, for example, the selection of magistrates by lot and the *misthophoria* or magistrate's allowance, are omitted from this discourse. Pericles' funeral oration praises democracy only in the most aristocratic terms; it glorifies it not as a *mode of power* but as the regime most conducive the *arete*, a word inapropriately translated (by Montesquieu, among others) as "virtue".

Although we regularly praise the Greeks for inventing politics, they themselves did not exalt their invention. Human life is normally conflictive, and political activity consists in objectifying conflicts—exposing them without hoping to cancel them. Political decisions are made not by a leader often speaking in the name of some divinity or even by consensus but by a majority. Aeschylus himself, before making his character in the *Suppliants* say that the vote was unanimous, has him ask for "the decision that was taken according to the law of popular election by absolute majority." However, although conflict is treated as normal by most of those who discuss it—Thucydides arguably constitutes an exception—it is not something acceptable but a disease—*statis*, or "sedition". There is no discontinuity in Greek thought between political conflict and civil war, and no ambiguity between *demos* the popular portion and *demos* the city as a whole is ever mentioned. No political party was ever set up in Athens with the intention of working alongside other political parties. The closest Athenians came to what we call political parties were the oligarchic associations, which were by nature conspiratorial in that by definition the *oligoi* were a minority and could not legally take power. Thus, strangely enough, we have no idea whether there were ever election campaigns in Athens as there were in Rome. When in 348 B.C. ambassadors were chosen to negotiate with Philip II of Macedon, no one thought to ask Aeschines or Demosthenes, who took part in this embassy, whether they shared political views.

Our much-loved Athenian democracy inspired no political-philosophical treatise drawing out its principles or praising it. The funeral oration extols democracy from a non democratic perspective. The only democratic philosopher that we know of whose surviving work expounds a theory of democracy is Protagoras

of Abdera,[12] who explains to Socrates why in Athens anyone has the right to express a political opinion. His justification of democracy is radical enough to be concerned not only with citizens but with all human beings, including women. Still, we owe it entirely to the magnanimity of Plato who seems to have had enough respect for Protagoras not to disfigure his thought in the way he cheerfully did that of his predecessors. Where we see democracy at work in Greek literature is in the field of history. It is Herodotus who tells us (V, 78) that the Athenians attributed preeminence to *isegoria*, the equal right to speech in the eyes of the law—a democracy that Thucydides said was in fact the government of the "first" citizen (II, 65, 9). And it is tragedy, democratic in its very essence in that princes are called before the equivalent of a people's court, that in fifth-century Greece is the democratic institution par excellence. But, as we have seen, not even tragedy escapes the fictive rule of unanimity. In the tragedies of Aeschylus there is only one vote that is not unanimous—the vote by which Orestes is acquitted in the *Eumenides* after the intervention of Athena. When an Athenian tragic poet depicts a city in conflict, he places the action in Argos or, mostly, in Thebes, the city of *stasis*.

This democracy, ignored or belittled by political theorists and difficult to trace at the level of iconography (a fourth-century relief represents "Democracy crowning Demos"), was vigorously criticized throughout Classical times and thereafter. Objections came not only from intellectuals seduced by the image of Sparta but also from philosophers who, with Plato, dreamed of a hierarchical society and tolerated democracy only if it was subdued and controlled and, finally, from rhetors from Isocrates to Plutarch who unceasingly praised the so-called ancestral constitution and the so-called balance of power between figureheads like Theseus or Solon and the Aeropagus that kept radical democracy from getting out of hand. At this cost, one could forgive Athens for being a democracy, and Isocrates could even allow himself the indulgence of preferring his native city to Sparta.

There was a time in the history of France, during the revolutionary period, at the height of the power of the Montagnards,

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[12] In Plato's *Protagoras*, 320c–323c; there are good reasons to think that this text is inspired by the real Protagoras; to this reference one could add some fragments of Demokritos.

when the ideology of power was based on that of the ancient city-state. Robespierre and Saint-Just expounded Montesquieu's concept of a republic founded on virtue.[13] Yet if virtue was the foremost principle of democracy, the model for democracy was not Athens (though Robespierre occasionally refers to Demosthenes, Socrates, or Aristeides) but Sparta, the so-called city of equals (*homoioi*) "that shines like lightning in the vast darkness of the skies"—the very model of social transparency. Robespierre and Saint-Just used Sparta to characterize their own society as transparent, ideally unified; they rejected the idea of conflict of interests or of conflict between classes and groups. They were convinced that men were either pure or traitors and rogues who could be lawfully eliminated. At first glance, it seems strange that such radical democrats would invoke Sparta, the city that led a coalition of oligarchies against Athens in the fifth century and introduced the rule of the thirty tyrants. During the dictatorship of the Montagnards, Camille Desmoulins was the only one to side with Athens in the name of democracy, freedom of the press (Aristophanes!), and the right to make mistakes. This identification with Sparta was denounced by Volney and by Benjamin Constant, by Marx in "*The Holy Family*," by Fustel de Coulanges in his preface to "*The Ancient City*," and by many others. But what were its causes?

The eighteenth century had witnessed a debate over Sparta and Athens contrasting austerity with luxury, virtue with corruption. What partisans of Athens, among them Voltaire, had praised was not its democracy but its commerce and freedom of expression. But who had rallied the partisans of Sparta? Was Rousseau the father of the year II's prefiguration of totalitarianism?[14] It is true that he sided with Sparta. In 1752, in *Dernière réponse aux adversaires du Discours sur les Sciences et les Arts*, he writes, "The embarrassment of our opponents is apparent whenever it is necessary to speak of Sparta. What wouldn't they give for Sparta never to have existed?"[15] In what we must, along with Victor Goldschmidt,[16]

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[13] I discuss this point in "La place de la Grèce dans l'imaginaire des hommes de la Révolution" in *La Démocratie grecque vue d'ailleurs*, Flammarion, Paris, 1990, pp. 211–36.

[14] For example, J. Julliard, *C'est la faute à Rousseau*, Seuil, Paris, 1985.

[15] *Oeuvres complètes*, III (Pléiade), p. 83.

[16] Cf. V. Goldschmidt, *Anthropologie et politique. Les principes du système de Rousseau*, Vrin, Paris, 1974.

call Rousseau's system, two models are in opposition. One is that of natural man, a theoretical construction and an object of melancholy if such ever existed, which Rousseau strongly doubts: "The happy Golden Age was always a state foreign to the human race, for men either did not recognize it when they could have delighted in it or lost it when they should have known it."[17] Its antithesis (recently well-analyzed by Yves Touchefeu[18]), the best and most enduring product of History, is that of the citizen. Thus Rousseau is able to speak at once of Sparta, Rome, and Geneva: "I take pleasure in setting eyes upon those venerable images of antiquity in which I see men raised by their institutions to the highest of greatness and virtue that human wisdom can attain."[19] In Rousseau's framework, Sparta stands like a rock against his supposed law of historical degradation. For a long time he thought that Geneva could be a new Sparta, but, sentenced by his own city to relinquish his rights of citizenship, he revised this opinion. In 1764, Rousseau addresses this solemn warning to the citizens of Geneva: "Remain yourselves and be not blind to your position. Ancient peoples are no longer a model for modern ones. They are foreign to them in every respect. Especially you, people of Geneva, keep your place and avoid the lofty thoughts presented to you only the better to conceal the abyss that yawns before you. You are neither Romans nor Spartans. You are not even Athenians. Do not claim these great names that do not fit you. You are merchants, craftsmen, bourgeois, preoccupied with your own private interests, people for whom liberty means only acquiring without obstacle and possessing in safety."[20] In other words, Sparta, Rome, and even Athens are as inaccessible as the Golden Age. When Rousseau speaks of democracy he invokes the principle of virtue that Montesquieu, in the footsteps of Pericles, makes the keystone of democracy, but he adds *in fine*, "If there were a people of gods, it would govern itself democratically."[21] At times, of course, Rousseau

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[17] First version of the *Contrat social* in *Oeuvres complétes*, III, p. 283.

[18] "Le sauvage et le citoyen, le mythe des origines dans le systéme de Rousseau", in Chantal Grell and Christian Michel (ed.), *Primitivisme et mythe des origines dans la France des Lumières (1686–1820)*, Presses de l'Université de Paris-Sorbonne, 1989, pp. 177–92.

[19] *Parallèle entre Sparte et Rome* in *Oeuvres complètes*, III, p. 538.

[20] *Lettres écrites de la montagne*, IX in *Oeuvres complètes*, III, p. 881.

[21] *Contrat social*, *ibid.* p. 406.

makes use of the history he knows is inaccessible. His Corsican project, for example, is full of references to antiquity and foreshadows the "*Institutions Républicaines*" of Saint-Just. It is a project of exclusion: the right of citizenship is denied to all those who are not married by the age of forty and can be granted to a foreigner only once every fifty years.[22] It seems undeniable that in Rousseau's notion of "volonté général" there is a sort of totalitarian temptation. That this temptation must be resisted from the inside is, in my opinion, what makes Rousseau a tragic figure in the Greek meaning of the word, but the readers of 1793 did not necessarily understand this.

Of all the words translated from Greek and Latin, the word "liberty" has perhaps the greatest resonance, yet no word could be more ambiguous or have a more complex history. The slogan of the revolution, "la liberté ou la mort," was applied, of course, not to the individual but to the nation. The Greeks obviously knew this liberty, and what we call the Salamis *Marseillaise* (the expression comes from Brasillach), in Aeschylus' *Persians*, translates quite well into the French of 1793: "allez enfants des Grecs, libérez la patrie, libérez vos enfants et vos femmes, les sanctuaires des dieux de vos pères et les tombeaux de vos aïeux: c'est la lutte suprême" (Come, sons of Greece, free your fatherland, free your children and your wives, the sanctuaries of the gods and the tombs of your grandsires: it is the supreme fight [literally, "the fight in which all is decided"]) (in the translation known by the men of the revolution, that of 1785 by Du Theil, one reads (*sauvez* [save] and not *libérez* [free]).

Chateaubriand in his *Essay on Revolutions* of 1797 understood this quite well. Modern patriotism is considered a revival of ancient patriotism even though *Greek* patriotism was rare, as was the Persian war itself; patriotism generally focused on the *city*.

The problematic relationship between freedom in antiquity and freedom in modern times was raised by Benjamin Constant and many others after the Montagnard experience, in the last years of the eighteenth and the first years of the nineteenth century. The opposition between these two concepts of freedom is similar to the opposition between impulsion and design, war and commerce, participation and possession, the immediate and the de-

[22] *Ibid.* p. 941.

ferred, the enslavement of the majority and the individual freedom of all. The rediscovery during the Thermidorian years of the fundamental role of slavery in Athenian society and in Greek society as a whole led, among other things, to the elimination of Sparta from the democratic discourse. From then on, it held a position on the right, and even the extreme right, of the political spectrum. This process started with Joseph de Maistre, but it did not happen overnight; during the Empire, the Restoration, and even the July monarchy, public education remained more Spartan than Athenian. In Constant's opinion, Athens guaranteed more freedom than Sparta, "this vast convent", even though it was undoubtedly a slave-owning city and even though its freedom was not the individual freedom guaranteed by the principles of 1789 and the very existence of a civil society. As Sparta shifted from the extreme left to the right wing of political thought, it also settled in on the other side of the Rhine.[23] The development of the specifically Germanic Dorian myth (K.O. Müller) naturally fostered a countermyth in France. During the second half of the nineteenth century and the first half of the twentieth, France and Germany opposed one another in the Sparta/Athens debate. "The republic of lawyers" destroyed by Philip of Macedon had strange similarities with the Third Republic. As a result, from Victor Duruy, the historian and minister of the Second Republic, to the historian Glotz (who died in 1936), the model of a liberal (or, as Nicole Loraux and I venture to say, a bourgeois) Athens, but slightly more representative and with a little more sense of national unity, was gradually established in France. Admittedly, this model was in constant competition with that of Rome; for colonizing Algeria it was better to be Roman than Greek. The spiritual identification in France was certainly never as deep as that which characterized the Germany of Hölderlin or Heidegger. Although France has only recently rediscovered the Pre-Socratics and the "philosophie de l'être", it did, however, find a model in Athenian freedom—in Athenian *parrhesia* (Euripides *Hippolytus* 422, etc.). Though the electoral system at the beginning of the century was based on the poll tax, this

[23] See the essential study by Ed. Will, *Doriens et Ioniens. Essai sur la valeur du critere ethnique appliqué à l'étude de l'histoire et de la civilisation grecque*, Belles Lettres, Strasbourg, Paris, 1950.

model was taken over by the democratic movement and proposed as the right of all. The Athenian model was based on fifth-century Athens alone, and this had some strange consequences. A reading of Glotz's *Greek History*, still the authoritative textbook when I was a student, reveals that the majority of our sources date from the fourth century simply because the practice of writing only becomes widespread at that time. In fact, a historian like Glotz separated these sources into two categories, placing those which refer to a harmonious working of the institutions in the fifth century and those which implied discord and crisis in the fourth. (The Hellenistic period was left to the Americans or the English.)

It goes without saying that there were, however, opposing images. Renan, in his "Prière sur l'Acropole," worried that the Athenian *cella* might be too narrow for today's world: "if your *cella* were big enough to house a crowd, it would crumble." Barrès responded with his *Voyage de Sparte*: "An Oriental song corrupts a passing soul. But the clear vision of some cruel facts reforms and invigorates us. Man was made not to dream but to bite and tear." In Sparta and Mistra, Barrès experiences enthusiasm; in Athens he "analyzes its disorder." As for Maurras, he declared, in answer to Renan, that there is no need to house a crowd "in Athena's house."[24] A Greece of hierarchy, daughter of Plato, persisted alongside the Greece of democracy, and it was easy to demonstrate that this democracy was in fact elitist.

Was the Greek city-state a closed society, in the Bergsonian or Popperian sense, or even totalitarian society? Paradoxically, this issue is addressed by one of those accused of being perverse imitators of the ancient city, Saint-Just:[25] "The ancient legislators did everything for the republic, France everything for man. Human rights would have been the downfall of Athens or Lacedaemon. There men knew only their fatherland, they forgot themselves for it." In fact, in the declaration of August 26,

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[24] See for Maurras, *Anthinea*, Juven, Paris, 1901, p. 92, and for Barrès, *Le voyage de Sparte*, Plon et Nourrit, Paris, 1922. p. 186. I have profited from an MA thesis by Florent Le Bot, *La representation de la Grèce dans les doctrines d'extrême-droite en France à travers les écrits de Charles Maurras et Maurice Barrès*, Paris VIII, 1990.

[25] *L'esprit de la Révolution et de la Constitution* (1791) in *Oeuvres complètes*, Champ libre, Paris, 1984, p. 287.

1789, only one word, "citizen", refers to antiquity, and Saint-Just does not use it here. The issue has since been raised time and time again. Volney, in his famous *Leçons de l'an III*, brutally addresses it in showing that the greatness and beauty of Athens were founded on "a system of extortion and plunder" and that "these so-called democrats" lived in a world in which "the despotic regime of our American colonies"[26] was established. This theme is also taken up by Fustel de Coulanges, in his own way, in 1864.

Athens was, in fact, relatively hard and closed world. The professors of the Third Republic who idealized Athens would have found it hard to live there, and this also holds true for you and me. It was a society capable of establishing relations of domination over others that could lead to massacre, as in the famous case of Melos, when the Athenians told the Melians, "We are in the right because we are the stronger."[27] It remained, however, incapable of integrating the territories it dominated. *Hyperoria*, "the world beyond the boundaries", as it was called in Athens, begins at the Cithaeron range and includes both cities under Athenian control and enemy and neutral ones. The contrast with Rome is striking as early as the Hellenistic period.[28] During Imperial times, Lucian playfully uses the word *hyperoria*, but he places the boundaries of Athens, now an academic center, somewhere along the Euphrates. Paul of Tarsus was a Roman citizen, but he could certainly never have been an Athenian one during Classical times.

Freedom in Athens was strictly tied to participation. Every Athenian had a fairly good chance of participating in the government of the city, for example, as a member of the council selected by lot, the *boule* (mistranslated by our forefathers as "Senate"), but not all citizens participated. Six thousand Athenians were usually present at the meetings of the Ecclesia, and even if this figure represents only 20 per cent of the citizen body it is large for antiquity. The intelligent and perverse opponent of

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[26] For the references, cf. *La Démocratie grecque vue d'ailleurs*, p. 230–31.

[27] I am summarizing Thucydides, V, 84–112.

[28] For example, Philip V, King of Macedonia, addressing the Greek city Larissa in 217–2151 reproaching it for its egoism in giving the right to citizenship and contrasting it with the Roman example; G. Dittenberger, *Sylloge inscriptionum graecarum*,[3] no. 543.

Athenian democracy whom we usually call Pseudo-Xenophon or the Old Oligarch [ca. 430 B.C.] accuses the Athenians of extreme tolerance toward slaves and Metics, who, he says, benefit from equality in speech with citizens (undoubtedly an exaggeration), and continues: "It is essential for oligarchic cities to observe treaties and oaths. If they do not abide by agreements or if injustice is committed, the names of those responsible can be found among the small number of men who have made them. But in the case of a treaty made by the people, it is possible for them to lay the blame on the one who proposed it or the one who put it to the vote and deny that they were present or approved it."[29] This description is something of a caricature, because Athenian treaties were sealed with an oath that bound all Athenian citizens. However, every decree or law had an author who was held accountable for it—such and such had spoken (*eipen*)—and this could lead, perhaps from the decisive democratic reform of 462–461 onwards, to a charge of illegality (*graphe para nomon*) not against the people but against the one who had led them astray. Since the people could not condemn itself, it turned against the person responsible. This is not a totalitarian measure, and to some extent it was designed to prevent frenzied impulses such as that which led to the execution of the victorious *strategoi* of the Arginusai in 406, when the people had cried out that preventing it from doing what it pleased was a crime.[30] The question of individual freedom and freedom of speech and thought is another issue.

It is clear that values were not the same in Athens as in New York, Paris, or London today. The crime of impiety, established by the law of Diopeithes, led tot he exile of Anaxagoras, and in 399 the charge of corruption of the youth led to the death of Socrates, who had dangerous disciples in Alcibiades and Critias. Does this sum up the history of freedom in Athens? Along with Finley and many others, I firmly answer no. Our Old Oligarch writes:[31]

> They do not allow comedians to attack the people so that they may not be abused themselves; they encourage personal attacks if

[29] *Old Oligarch* II.17
[30] Xenophon, *Hellenica*, I, 7, 12.
[31] *Old Oligarch* II.18

> anyone wishes, knowing that the butts of comedy are not for the most part of the common people nor of the masses but rich or noble or powerful; only a few of the poor, ordinary citizens are attacked in comedy, and then only for meddling in everything or trying to become too influential; therefore not even the people object to the ridiculing of such men.

Yet all the plays of Aristophanes protest against this assertion. In 424 (approximately six years later), he puts Demos on the stage in the *Knights*, and the very structure of this play is a questioning of Athens by Athens. It was not entirely wrong of Camille Desmoulins to cite this example, in 1794, against Robespierre, saying that under the Terror Aristophanes would have been guillotined. However, it was wrong of Renan to write, in *L'Avenir des sciences* (1848), that terror was the normal state of Athens but that this did not prevent the Athenians from building the Parthenon. There were times of collective hysteria in Athens (in 415, at the time of the mutilation of the Hermes, in 406 after the affair of the Arginusai) but not permanent terror.

The Greek city-state, as a locus of collective decisions—decisions that came neither from the gods nor from a divine king nor from a king under the authority of the gods—was an innovation of enormous importance in the Mediterranean of the first millenium. Democracy, as limited as it was, was in Athens and under the influence of Athens another tremendous innovation. Militarily, the possibilities of enterprise and daring of a city capable of mobilizing thirty thousand citizens in 480 (Salamis) after having mobilized barely nine thousand in 490 (Marathon) were much greater. However, the most important aspect of this change was, after the three great reform movements (those of Solon, Cleisthenes, and Ephialtes), that incredible miracle: the peasant citizen. The rupture was radical not only in the Mediterranean but in Greece itself, where peasants were usually bound to the land (the Spartan helots being the clearest example). Like any advance, it was costly, especially so since, to use Finley's phrase, freedom and slavery went hand in hand.[32] If one is determined to find a model in ancient Greece for the modern

[32] M.I. Finley, "Was Greek Civilization Based on Slave Labour?", *Historia*, Band VIII, 1959, pp. 145–164. Reprinted in *Economy and Society in Ancient Greece*, Chatto and Windus, London, 1981.

totalitarian society, it will not be in the democracy of Athens or in the oligarchy of Sparta but in the projects of the most relentless enemy of Athenian democracy, Plato. There one finds everything from the rewriting of history according to ideology to the establishment of concentration camps, baptized "places of reflection (*sophronisteria* [*Laws* 908al)," where wrong-thinkers and wrongdoers would have all the time in the world to mediate on the best of constitutions.

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4. LEEMAN, A.D. *A Systematical Bibliography of Sallust (1879-1964).* Revised and augmented edition. 1965. ISBN 90 04 01467 5
5. LENZ, F.W. (ed.). *The Aristeides 'Prolegomena'.* 1959. ISBN 90 04 01468 3
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